

ILLINOIS POLLUTION CONTROL BOARD
March 6, 1980

VILLAGE OF LEMONT,)
)
) Petitioner,)
))
) v.) PCB 80-41
))
 ENVIRONMENTAL PROTECTION AGENCY,)
))
) Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

On February 29, 1980 Petitioner requested a variance from Rule 304C (Radiological Quality) of Chapter 6: Public Water Supplies. The Petition is deficient in the following respects. First, it fails to describe the nature and extent of Petitioner's present inability to comply as required by Procedural Rule 401(a)(5). Petitioner's allegation that it may be in violation is insufficient. Second, it fails to specifically request or waive a hearing as required by Procedural Rule 401(b). Third, it fails to include a concise factual statement of the hardship Petitioner or anyone else will suffer if the variance were not granted as required by Procedural Rule 401(c). Consequently, this matter is hereby dismissed without prejudice. If Petitioner wishes to refile this matter at a later date with more information, it should feel free to do so.

IT IS SO ORDERED.

Mrs. Anderson abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 6th day of March, 1980 by a vote of 4-0.


Christan L. Moffett, Clerk
Pollution Control Board