ILLINOIS POLLUTION CONTROL BOARD February 21, 1980

B.E.R.D.S., a	Missouri)		
Partnership,)		
	Petitioner,)		
	V •) :	PCB	80-36
ENVIRONMENTAL	PROTECTION AGENCY,)		
	Respondent.)		

ORDER OF THE BOARD (by Mr. Dumelle):

On February 15, 1980, Petitioner requested a variance from the requirements of the Board's Air Pollution Control Regulations. The Petition is deficient in several respects. First, the requirements of Board Procedural Rule 401(a) have not been met as Petitioner has not provided a complete statement of the relief sought, nor has included specific provisions identification of the particular of regulation from which the variance is sought. Second, there is no information regarding the nature and extent of Petitioner's present failure to meet the numerical standards or particular provisions of the regulation. A detailed description of existing and proposed equipment and of Petitioner's compliance plan from initiation of design to program completion including costs has also been excluded, in addition to a description of availability of alternate methods of compliance. No factual information as to the environmental impact the variance will impose on human, plant and animal life in the affected area was contained in the petition; nor measures to be undertaken during the period of variance to minimize such impact. Petitioner also fails to specifically request or waive a hearing as required by Procedural Rule 401(b). If these deficienceis are not corrected within 45 days of the date of this Order, the matter will be subject to dismissal. The statutory 90 day decision period shall run from the date an Amended petition is filed.

IT IS SO ORDERED.

Christan L. Molfett, Clerk
Illinois Pollution Control Board