

ILLINOIS POLLUTION CONTROL BOARD
March 11, 1992

CITY OF JACKSONVILLE,)
)
Petitioner)
)
v.) PCB 92-8
) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Anderson):

On January 8, 1992, the City of Jacksonville (Jacksonville) filed a petition for variance from 35 Ill. Adm. Code 814.501(b) and 814.104(a). Jacksonville seeks to (a) continue to operate its landfill for 18 months beyond the two year closure provisions in Part 814 of the Board's new landfill regulations, and (b) be allowed to remain subject to its existing permit, issued prior to the new landfill regulations.

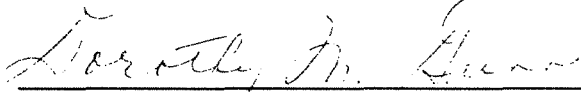
On January 9, 1992, the Board issued an Order finding Jacksonville's petition deficient because it failed to comply with the variance petition requirements of 35 Ill. Adm. Code 104.121(f) and (g). The Board also attached a copy of its January 23, 1992 Order in Land and Lakes (PCB 91-215) to its Order. Finally, the Board directed Jacksonville to file an amended petition curing the deficiencies no later than 45 days from the date of the Order and noted that this matter would be subject to dismissal if the amended petition was not forthcoming within that time period.¹

Jacksonville has not filed an amended petition within the 45 day time period specified by the Board. Accordingly, the Board hereby dismisses and closes the docket in this matter. As a result, the Illinois Environmental Protection Agency's January 16, 1992 motion to dismiss Jacksonville's petition and Jacksonville's January 29, 1992 response to the Agency's motion are rendered moot.

IT IS SO ORDERED.

¹On January 29, 1992, Jacksonville filed a motion for instructions. In the motion, Jacksonville stated that it required further instructions regarding the additional information the Board requested in its January 9, 1992 Order. The Board denied the motion on February 6 1992.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution control Board, hereby certify that the above Order was adopted on the 15th day of March, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board