

ILLINOIS POLLUTION CONTROL BOARD
March 21, 1984

CITY OF MONMOUTH,)
)
Petitioner,)
)
v.) PCB 84-6
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Anderson):

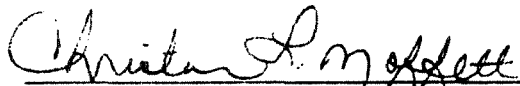
This amended petition, filed March 29, 1984, continues to be deficient, in that the petition fails to include either a hearing request, or a hearing waiver plus affidavit attesting to the truth of the facts alleged in the petition as required by 35 Ill. Adm. Code 104.124.

The Board notes that the relief request as made on p. 6 of the amended petition requests "variance from the current NPDES permit". The Board cannot grant variance from an NPDES permit, although it can grant variance from its Orders and regulations so as to allow Agency issuance of a modified NPDES permit. The City is therefore requested to specify which portions of the requested relief require variance from the Board's January 21, 1982 Order, and which from specific Board regulations. The City is also requested to address the issue as to whether such relief is consistent with federal law, as required by 35 Ill. Adm. Code 104.122.

If an amended petition curing these deficiencies is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above and Order was adopted on the 21st day of March, 1984 by a vote of 6-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board