

ILLINOIS POLLUTION CONTROL BOARD
December 15, 1983

CITY OF MENDOTA,)
)
Petitioner,)
)
v.) PCB 83-152
)
ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. D. Dumelle)

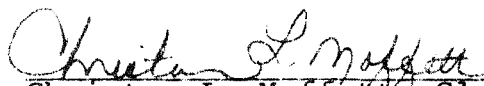
On October 14, 1983 the City of Mendota filed a petition for variance from 35 Ill. Adm. Code 312.101, which prohibits the operation of the treatment works, except under the supervision of a certified operator of the appropriate classification. On October 17, 1983 the Board entered a more information order indicating that the petition was insufficient in that although hearing is waived, there is no affidavit as required by 35 Ill. Adm. Code 104.124. Further, the Board requested more information regarding the dates of the facts alleged in paragraphs 3 and 4 as well as the costs of hiring a Class I operator.

On December 1, 1983 the City filed an amended petition which included an affidavit, but that affidavit fails to attest to the truth of the material facts alleged as required by 35 Ill. Adm. Code 104.124. Further, the amended petition fails to allege the costs of hiring a Class I operator either full time or in an advisory capacity.

Unless the City of Mendota files an amended petition curing the above-noted defects within 45 days of the date of this Order, the 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 Order was adopted on the 15th day of December, 1983 by a vote of 7-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board