

ILLINOIS POLLUTION CONTROL BOARD  
November 1, 1979

ALLAERT RENDERING, INC., )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 77-334  
 )  
 ) ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by Mr. Goodman):

Petitioner's October 11, 1979 motion for reconsideration is denied.

Petitioner cites as errors in the Board Opinion and Order (1) the Board's affirmation of the hearing officer's ruling excluding evidence regarding economic reasonableness, and (2) the Board's finding that Petitioner had not sustained its burden of proof regarding economic reasonableness.

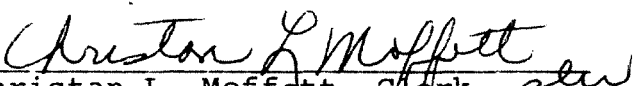
Petitioner's offer of proof to the hearing officer's exclusion of testimony was that Petitioner suffered either "minus income or very low income" over the years, and that "there was no way that [Allaert] had or could accumulate enough funds to build a waste water treatment system".

Variances are not granted merely because a petitioner's income is insufficient to finance pollution control measures mandated by law. As the Board stated in its Opinion and Order at page 10, "any hardship visited upon the Petitioner is largely self-imposed".

IT IS SO ORDERED.

Mr. Werner dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 1st day of November, 1979 by a vote of 3-1.

  
Christan L. Moffett, Clerk *slw*  
Illinois Pollution Control Board