

ILLINOIS POLLUTION CONTROL BOARD  
January 22, 1981

CITY OF KNOXVILLE, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 81-4  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by J. Anderson):

By its petition for variance filed with the Board January 12, 1981, the City of Knoxville seeks "extension" of variances granted it in PCB 80-79, 80. This petition is deficient in the following respects:

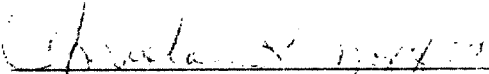
1. The petition does not incorporate the record in the prior proceedings into this petition, and additionally does not provide the Board with current, accurate results of test measurements of the levels of fluoride and radium in its water. In light of the Agency's admission in City of Minonk, PCB 80-136, October 2, 1980 p. 1-2, that the radiological testing methodology had an "accuracy problem," the Board must assume, unless informed otherwise, that older test results cannot be relied upon.

2. The petition does not specifically request a hearing or waive it, as required by Procedural Rule 401(b). If a hearing is waived, petitioner must submit an affidavit verifying the truth of the facts stated in the petition.

If an amended petition containing the above information 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 Order was adopted on the 22<sup>nd</sup> day of January, 1981 by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board