

ILLINOIS POLLUTION CONTROL BOARD
March 16, 1978

CITY OF TROY,)	
)	
Petitioner,)	
)	
v.)	PCB 76-276
)	
ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD, (by Mr. Dumelle):

On February 14, 1978 Petitioner filed an amendment to its motion for modification of the Board's Order dated December 8, 1977. The amended motion for modification fails to expand on Petitioner's problems in obtaining a bond which were stated in its letter dated January 18, 1978. In its response to Petitioner's amended motion, the Agency suggests that the bonding requirement of condition 2 in the Board's prior Order be waived and a Performance Bond to be obtained by Petitioner's General Contractor be substituted. The Board's Order dated December 8, 1977 is hereby modified and no bond shall be required.

The additional requests for relief in Petitioner's amended motion for modification can only be considered as a Petition for a Variance from the Board's prior Order. Since these additional requests fail to meet the requirements of Procedural Rule 401 the Petition is hereby dismissed without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 16th day of March, 1978 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board