

ILLINOIS POLLUTION CONTROL BOARD
February 3, 1977


LEO M. & DONNA LINSKY,)
)
 Petitioners,)
)
 v.) PCB 77-36
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Zeitlin):

Petitioners filed their Petition for Variance in this case on February 1, 1977, apparently seeking relief from a "sewer ban" previously imposed by this Board in the area served by the North Shore Sanitary District (NSSD). That Petition cites and includes by reference the Record in North Shore Sanitary District v. EPA, PCB 76-285, _____ PCB _____, in which matter the Board today granted a Variance allowing sewer connections in the NSSD service area. In addition to other procedural problems, cf., Ill. PCB Regs., Ch. 1: Procedural Rules, Rules 401, the Petition in this matter fails to show how the relief granted in PCB 76-285 would not apply to them. Inasmuch as the relief granted in PCB 76-285 would apparently provide the relief requested in the instant Petition, we shall dismiss the matter, without prejudice, as moot.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 3rd day of February, 1977, by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board