

ILLINOIS POLLUTION CONTROL BOARD
November 6, 1975

CITY OF GALENA,)
)
) Petitioner,)
)
) v.) PCB 75-138
)
)
) ENVIRONMENTAL PROTECTION)
) AGENCY,)
)
) Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle):

On June 26, 1975 the Petition for Variance was dismissed without prejudice. We agreed on August 14, 1975 to reconsider the dismissal and allow Petitioner and/or Respondent to file a plan to dispose of the dead elm trees which are the subject of this Petition. Petitioner filed a letter on October 17, 1975 which states that Petitioner will develop a detailed plan next Spring. We find that Petitioner should refile a new Petition when a plan has been developed. We therefore will dismiss without prejudice the present request.

ORDER

It is the Order of the Board that the Petition for Variance be dismissed without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 6th day of November, 1975 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board