IILINOIS POLLUTION CONTROL BOARD August 7, 1975

CITY OF BELLEVILLE, Petitioner,)		
v.)) }	РСВ	74-164
ENVIRONMENTAL PROTECTION AGENCY, Respondent.))		

ORDER OF THE BOARD (by Mr. Zeitlin):

Petitioner, City of Belleville (Belleville) filed a Variance Petition before the Illinois Pollution Control Board (Board) on April 26, 1974, requesting relief from Rule 202(b)(i) of Chapter 7: Solid Waste, of the Board's Rules and Regulations to allow Petitioner to operate its refuse disposal site after July 27, 1974 without a permit from the Illinois Environmental Protection Agency (Agency).

Petitioner leases and operates a 37 acre refuse disposal site located approximately five miles southwest of the City of Belleville in St. Clair County, Illinois, in a remote area which had been previously strip-mined and is now being reclaimed through the landfilling operation of Belleville.

A Stipulation was entered into by both parties on June 13, 1974, in which Belleville waived the 90-day requirement for the Board to take a final action on the Variance Petition, and further stipulated that it would file for a permit to operate its landfill by July 17, 1974.

A permit (EPA Permit No. 1974-75 OP) to operate the solid waste disposal site was issued by the Agency to Belleville in a letter dated November 15, 1974. The Board agrees with the Agency Recommendation, filed on June 23, 1975, that the issuance of the permit to operate said disposal site has made Petitioner's request for a variance moot. Belleville, in a letter filed with the Board on June 27, 1975, agrees with the Agency Recommendation and requests that its Petition be dismissed as moot.

It is the Order of the Pollution Control Board that Petitioner's Variance Petition from Rule 202(b)(1) cf Chapter 7 - Solid Waste, be dismissed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the day of the 1975 by a vote of .

Christan L. Moffett Clerk
Illinois Pollution Control Board