

ILLINOIS POLLUTION CONTROL BOARD
August 1, 1974

ROUND LAKE SANITARY DISTRICT)
PETITIONER)
)
)
 v.) PCB 74-273
)
)
 ENVIRONMENTAL PROTECTION AGENCY)
RESPONDENT)
)

ORDER OF THE BOARD (by Mr. Marder)

Petitioner filed on July 18, 1974, a document with the Board which was interpreted as a variance petition. Upon further study of said document, the Board cannot ascertain whether said document is:

- A) A variance request
- B) A permit appeal
- C) Simply an appeal for reconsideration of a permit denial which should properly be filed with the Agency.

The Board notes that Paragraph 2 of the document in question states that,

"On April 8, 1974, the Illinois Pollution Control Board entered an Order entitled: 'Sewage Treatment Works - OP Denial (B) Log 513-74' denying an operational permit..."

Such a permit denial would have been issued by the Environmental Protection Agency, not the Board. The rest of said document further confuses the issue.

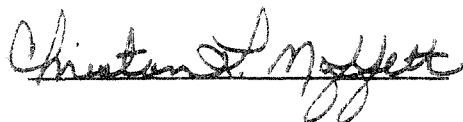
Petitioner is directed to this Board Procedural Rule 401 to ascertain what is required for proper filing of a variance, and this Board's Procedural Rule 502 to ascertain what is required for proper filing of a permit denial (both actions before the Board).

Because of the inconsistencies in the above document, it will be dismissed without prejudice.

ORDER

IT IS THE ORDER of the Pollution Control Board that the matter entitled PCB 74-273 be dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 1st day of August, 1974, by a vote of 5 to 0.

Handwritten signature of Christan L. Moffett in cursive script, underlined.