

ILLINOIS POLLUTION CONTROL BOARD
March 8, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
) #72-506
 v.)
)
 JOHN McINTOSH)

JOHN McINTOSH and MARY McINTOSH)
)
) #73-53
 v.)
)
 ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Petition for variance filed by John and Mary McIntosh requests the right to continue the deposit of various materials in the ditch which presumably would violate the Environmental Protection Act and Sanitary Water Board Regulations relative to the stream involved. The Agency has filed a Motion to Dismiss. Motion to Dismiss is denied. The Agency is directed to file its recommendation within 15 days from the date hereof. Petitioner may supplement its petition to meet the contentions raised by the Agency, where applicable. Hearing shall be scheduled on the petition.

The transcript and proceedings of the enforcement action with respect to the subject matter of this petition shall be incorporated in the record of the variance proceeding.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 8th day of March, 1973, by a vote of 5 to 0.


