

ILLINOIS POLLUTION CONTROL BOARD
April 4, 1972

CITY OF GALENA)
)
 v.) PCB 72-122
)
 ENVIRONMENTAL PROTECTION AGENCY)

OPINION AND INTERIM ORDER:

On March 29, 1972, the City of Galena filed a petition with the Board seeking a variance from the Board with regard to the Open Burning Regulations. The City seeks to open burn piles of brush obtained from clearing a 22 acre area near the Galena River. The petition recites that to otherwise dispose of the piles of brush would constitute a financial hardship to the City; however, the petition does not recite what alternatives to open burning of the piles of brush the City investigated and the costs of those alternatives. Under normal circumstances if a petition does not contain such relevant information, it would be dismissed and the petitioner would be required to file a new petition with the new information if it wanted a variance. In this case, however, we will allow the petitioner 15 days to amend its petition to include the necessary information on alternative means of disposal of the piles of brush and the cost of those means. If the petitioner fails to give the Board adequate additional information within that time, the petition will be dismissed. If the petitioner does give the Board the necessary information, then we will await the Agency recommendation before deciding whether a variance should be granted.

It is so ordered.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the above Opinion and Interim Order was adopted this 4th day of April, 1972, by a vote of 4-0.

