

ILLINOIS POLLUTION CONTROL BOARD
October 10, 1974

TEXACO INC.)
(Lockport Refinery))
PETITIONER)
)
)
v.)
)
)
ENVIRONMENTAL PROTECTION AGENCY)
RESPONDENT)

PCB 74-361

ORDER OF THE BOARD (by Mr. Marder)

This matter comes to the Board on Motion for Extension of Variance, pursuant to Rule 334 of the Board's Procedural Rules. A Motion for Extension of Variance is improper under Rule 334, which provides that "A motion that in substance requests a variance shall not be brought under this Rule."

Therefore, the Board redockets this matter as a variance petition. This Petition is totally inadequate under the provisions of Rule 401 of the Procedural Rules.

This matter is dismissed without prejudice with leave to refile.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 10th day of October, 1974, by a vote of 5 to 0.

