

ILLINOIS POLLUTION CONTROL BOARD  
August 18, 1983

AMERICAN LEGION POST NO. 764 )  
OF TOLEDO, ILLINOIS, )  
 )  
Petitioner, )  
 )  
v. ) PCB 83-99  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J.D. Dumelle):

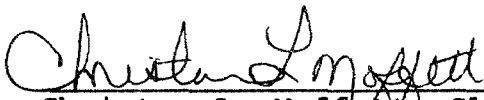
On July 26, 1983 the American Legion Post No. 764 (American Legion) filed a petition for variance from an order of the Board dated November 25, 1974, to allow the addition of sewer taps to the sanitary sewer system of the Village of Toledo (Toledo). That petition is deficient.

There is no Board Order of November 25, 1974 from which to grant variance. The Board assumes that the date refers to the date that restricted status was imposed by the Illinois Environmental Protection Agency (Agency), and that variance is requested from 35 Ill. Adm. Code 309.202(a). More information should be presented to clarify the requested relief, including information as to the nature of restricted status and the anticipated date of termination of that status. Further, the American Legion should explain why such relief is necessary given the single building exemption of Section 309.202(b). Unless an amended petition is filed within 45 days of the date of this Order curing the above-noted defects, this petition will be subject to dismissal.

Finally, Toledo is a necessary party to this request. The Board hereby orders that Toledo be made a party and directs the Clerk of the Board to serve the necessary documents upon Toledo.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 18<sup>th</sup> day of August, 1983 by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board