

ILLINOIS POLLUTION CONTROL BOARD
October 15, 1987

CITY OF YORKVILLE,)
)
 Petitioner,)
)
 v.) PCB 87-158
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

This matter comes before the Board on the City of Yorkville's Petition for Extension Of Radium Variance filed October 13, 1987. Petitioner seeks a variance from 35 Ill. Adm. Code 602.105(a), 602.106(b), 604.301.

The Petition is deficient. Section 104.121 of the Board's Procedural Rules contains the requirements for a variance petition. The Petition fails to explain why Petitioner requires a six month extension of the prior variance. Significantly, the Petition itself contains no data to justify an extension beyond November 9, 1987.

Additionally, Petitioner's request for variance contains the following language: "7. That the Petitioner incorporated herein by reference and makes a part of this Petition for extension, all previous Petitions and Orders previously issued ..." In order to incorporate these documents into this proceeding, copies of all such documents must be attached to the Petition.

It is hereby ordered that unless this Board receives an Amended Petition correcting the above noted deficiencies within 45 days, this action will be subject to dismissal.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 15th day of October, 1987 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board