ILLINOIS POLLUTION CONTROL BOARD
November 16, 1978

THOMAS B. ROSSETTER, STEVEN W. FITZSIMMONS, and CITY OF ST. CHARLES,	)	
Petitioners,	)	
v.	)	PCB 78-147
ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

ORDER OF THE BOARD (by Mr. Goodman):

The Board entered an Order in this matter on October 4, 1978, granting Petitioners a variance from Rules 951, 962 and 604 of Chapter 3. On November 3, 1978, the Agency filed a Motion for Modification of that Order requesting that the Board deny the variance from Rule 951. Rule 951 is the construction permit requirement. The Board agrees with the Agency that a variance from that Rule is unnecessary because grant of a variance from the other Rules should enable Petitioners to obtain a permit. We furthermore agree that participation in the permit process is necessary to ensure protection of the environment. Our grant of a variance from Rule 951 was an oversight, and we hereby modify our Order of October 4 such that a variance from Rule 951 is denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 16th day of November, 1978 by a vote of 3-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board