

ILLINOIS POLLUTION CONTROL BOARD  
August 21, 1980

VILLAGE OF ASHTON, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-135  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by I. Goodman):

The document filed on August 8, 1980 by the Village President is not the affidavit ordered by the Board on July 24, 1980, but merely a waiver of hearing.

Procedural Rule 401(b) states that when Petitioner waives hearing, it must submit an affidavit averring that the facts stated in its petition are true. This affidavit enables the Board to decide the petition without a public hearing.

Petitioner may use the following format:

AFFIDAVIT OF (Name and Title)

I, (Name and Title), hereby swear that the facts stated in the Village of Ashton's petition for variance docketed PCB 80-135 with the Board are true to the best of my information and belief.

(Notary Public Seal)

\_\_\_\_\_  
Signed

The Board will not dismiss this petition if such affidavit is filed with the Board on or before September 2, 1980.

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 21<sup>st</sup> day of August, 1980 by a vote of 5-0.

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