

ILLINOIS POLLUTION CONTROL BOARD
May 1, 1981

BRAVO-ERNST DEVELOPERS,)
)
) Petitioner,)
)
) v.) PCB 81-62
)
)
) ILLINOIS ENVIRONMENTAL PROTECTION)
) AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by I. Goodman):

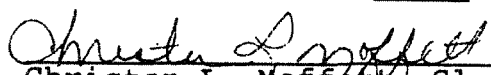
This petition for variance from Rule 962(a) of Chapter 3 is denied filing as inadequate under Procedural Rule 401. What Petitioner seeks is the Agency's issuance of construction permits for a proposed Macedonian Heights Subdivision in Lisle, DuPage County. Both a water pollution and a public water supply permit are requested; no operation permits are sought.

The petition is inadequate because it does not set forth: an allegation of arbitrary or unreasonable hardship upon Petitioner other than the fact that at some time after the property was purchased in 1977 the Lisle-Woodridge sewage treatment plant was placed on restricted status; an allegation of whether and when the two permits applied for were denied; the type of water pollutants expected to be discharged as a result of the construction; the nature and the extent of the present failure to meet Rule 962(a); a compliance plan to comply with Rule 962(a); an assessment of environmental impact from allowing the construction; past efforts at compliance with Rule 962(a); the availability of alternative methods of compliance with Rule 962(a); what measures will be taken during the period of any variance to minimize adverse environmental impact; and an analysis showing that grant of variance would be consistent with both 33 U.S.C. §1251, *et seq.*, 42 U.S.C. §300(f), *et seq.*, and 40 C.F.R. Part 141. In addition, Petitioner shall amend the Petition naming DuPage Utility Company and DuPage County Department of Public Works as respondents and shall serve these respondents with a copy of said petition.

This proceeding will be dismissed unless Petitioner files an amended petition on or before June 12, 1981 correcting the above-noted deficiencies.

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 1ST day of May, 1981 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board