

ILLINOIS POLLUTION CONTROL BOARD  
February 11, 1976

LEONARD C. TRIEM, d/b/a TRIEM )  
INDUSTRIAL BUILDING OPERATIONS, )  
 )  
Petitioner, )  
 )  
v. ) PCB 76-32  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

INTERIM ORDER OF THE BOARD (by Mr. Zeitlin):

The Petition for Variance filed February 5, 1976 in this matter is inadequate, for the following reasons:

1. Petitioner fails, in seeking a Variance from the permit requirement in Rule 202(b) of Chapter 7: Solid Waste, to detail any reasons why it is unable to obtain the necessary permit(s) from the Environmental Protection Agency.

2. Petitioner fails to show which, if any, of the substantive Regulations in Chapter 7: Solid Waste, would prevent the issuance of such permit(s).

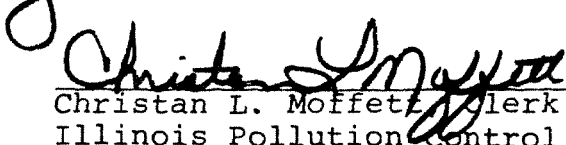
3. Petitioner fails to show why similar relief could not be obtained through Variance from applicable substantive Regulations, in compliance with the Board's announced policy of preference toward the grant of such Variance from substantive Regulations, where such grant allows the Environmental Protection Agency to grant the applicable permit(s).

In addition to the above, Petitioner is referred to the specific requirements of Board Procedural Rule 401.

It is the Order of the Board that Petitioner shall amend its Petition within 45 days of the date of this Order to provide the above described information. Failure to timely file the Amended Petition shall render this cause liable to dismissal for inadequacy. The 90-day decision period set by statute shall run from the date of filing of the Amended Petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 11<sup>th</sup> day of February, 1976, by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board