

ILLINOIS POLLUTION CONTROL BOARD  
April 2, 1981

VILLAGE OF ALGONQUIN,                    )  
  )  
  )                    Petitioner,                    )  
  )  
  )                    v.                                    )                    PCB 81-46  
  )  
ILLINOIS ENVIRONMENTAL                 )  
PROTECTION AGENCY,                    )  
  )  
  )                    Respondent.                    )


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

On March 23, 1981 the Village of Algonquin filed a petition for variance from Rule 1201 of Chapter 3: Water Pollution. That petition is deficient in two respects. First, hearing is purportedly waived unless "a favorable order is not issued." A waiver cannot be conditioned upon a Board decision in the matter. Algonquin may have meant "recommendation" rather than order, but if so, it must so state. Second, paragraph 5 of the petition regarding hardship and costs is not sufficiently detailed.

Therefore, it is hereby ordered that the Village of Algonquin cure the above-noted deficiencies by an amended petition to be filed within 45 days of the date of this order, or the petition will be subject to dismissal.

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 20th day of April, 1981 by a vote of 3-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board