

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1981


DUBUQUE PACKING COMPANY,)
(Geneseo),)
)
Petitioner,)
)
v.) PCB 81-31
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by D. Satchell):

On February 27, 1981 Dubuque Packing Company filed a petition for variance pertaining to wastewater lagoons at its beef slaughtering and processing facility at Geneseo. On that same date it filed a petition for provisional variance pursuant to recent amendments to Section 35(b) of the Environmental Protection Act. The Board will hold the latter pending receipt of an Agency recommendation. Since petitioner has waived a hearing on the regular variance petition, and since there seems to be no undue burden in having two pending petitions in this case, the Board will not at this time dismiss the former petition. The Board notes, however, that the petition fails to identify the Board regulations from which a variance is sought [Procedural Rule 401(a)(1)]. In addition, there is no affidavit or other proof of material allegations pursuant to Procedural Rule 401(b). The Board will dismiss this matter unless an amended petition addressing the noted deficiencies is filed within forty-five days of the date of this Order.

IT IS SO ORDERED.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5th day of March, 1981 by a vote of 5-0.



Christian L. Moffett, Clerk
Illinois Pollution Control Board