

ILLINOIS POLLUTION CONTROL BOARD
October 30, 1980

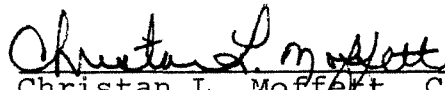
CATERPILLAR TRACTOR CO.,)
)
 Petitioner,)
)
 v.) PCB 80-193
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by D. Satchell):

On October 17, 1980 Caterpillar Tractor Co. filed a variance petition. Procedural Rule 401(b) requires that the petition "contain a request for a hearing . . . ; or, in the alternative, a statement waiving a hearing." Petitioner's conditional waiver is neither of these alternatives. In the event a hearing is waived, Petitioner may subsequently request a hearing pursuant to Procedural Rule 406. The petition will be subject to dismissal unless an amended petition addressing the noted deficiencies is filed within forty-five days of the date of this Order. The decision period will commence with the filing of an amended petition.

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 30th day of October, 1980 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board