

ILLINOIS POLLUTION CONTROL BOARD
February 7, 1972

CITY OF MT. CARROLL)
)
 v.) PCB72-35
)
 ENVIRONMENTAL PROTECTION AGENCY)

Opinion and Order of the Board (by Mr. Currie):

The City alleges that its landfill has been closed by the Agency and asks a variance to permit it to bury 1,000 pounds of bulk materials such as concrete and refrigerators twice a month. The method of disposal is to deposit in trenches and subsequent covering.

We do not understand the need for a variance to conduct the limited operation described. There is no allegation of what regulation would be violated by the proposed method of operation or that the Agency has refused to grant a permit limited to the proposed bulk material operation. If the material is to be covered daily in accordance with the rules, and if it is to be compacted first, it would appear that a permit could be issued unless there is something wrong with the site itself. Nothing of the sort is alleged. If there is some reason why the City cannot comply with the Rules that should be alleged. We cannot tell on the basis of this petition what it is we are asked to grant a variance from. We therefore dismiss the petition for failure to allege facts sufficient to justify a variance if proved, without prejudice to the filing of a more complete petition.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 7th day of February, 1972 by a vote of 5-0.

