

ILLINOIS POLLUTION CONTROL BOARD

February 21, 1974

CITY OF HERRIN,)	
)	
Petitioner,)	
)	
v.)	PCB 73-503
)	
ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by Mr. Henss)

On November 30, 1973 the City of Herrin filed its Petition requesting Variance from the Air Pollution Control Regulations for the open burning of trees, tree limbs and tree cuttings at the City landfill. On December 6, 1973 this Board found the Petition to be inadequate and ordered Petitioner to amend the Petition or face dismissal. The Board Order said the Petition "is inadequate in that it does not give details as to the location of the landfill in relation to residences and does not give the alternate costs of renting or operating an air curtain destructor or of using a chipper". The Amended Petition was to include a statement by Petitioner that the 90 day period for our decision would commence with the filing of the Amended Petition.

The Petitioner has not filed any additional information nor has Petitioner extended the date for our decision. We, therefore, must rule on the Petition in its original form. Since the Petition for Variance is inadequate a dismissal is appropriate.

IT IS ORDERED that the Petition for Variance be dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 21st day of February, 1974 by a vote of 5 to 0.

Christan L. Moffett