ILLINOIS POLLUTION CONTROL BOARD
February 14, 1975

ELMHURST COUNTRY CLUB, Petitioner,	)	
v.	)	PCB 74-354
ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

ORDER OF THE BOARD (by Mr. Dumelle):

The Elmhurst Country Club (hereinafter "Petitioner") filed a petition and Motion to Re-Open the Opinion and Order of the Board in Elmhurst Country Club v. EPA, PCB 74-354 (January 23, 1975) on February 5, 1975. Petitioner seeks a re-hearing on its petition for, in the alternative, the grant of a variance from Rule 404(a) of the Water Pollution Control Regulations without a hearing.

Petitioner's Motion was timely filed in accordance with Rule 334 of the Pollution Control Board's Procedural Rules. No hearing was held on the original variance request. Pursuant to Procedural Rule 405, the Board denied Petitioner's variance request without prejudice.

In order to avoid ambiguities regarding the 90-decision period requirement, Petitioner's request for a re-hearing is hereby denied. However, the Board will construe the Motion for Re-Hearing, together with the original variance petition, as a new variance petition. As a new variance petition, it will be assigned a new docket number(PCB75-76) and set for hearing. The 90-day period for decision will begin to run on February 5, 1975 the date of filing the Motion for Re-Hearing.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 14th day of February, 1975 by a vote of 4-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board