

ILLINOIS POLLUTION CONTROL BOARD  
August 14, 1975

HOLLYWOOD BRANDS, )  
Petitioner, )  
 )  
v. ) PCB 75-211  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

The petition for variance, filed by Hollywood Brands on May 20, 1975, is dismissed without prejudice, for failure to comply with Procedural Rule 401. Petitioner has failed to adequately address Rule 401(a)(i), (iv), (vi), (vii), (viii), (ix), and (x), and 401(b).

In particular, Petitioner failed to indicate what, if any, steps would be taken to achieve compliance by the variance expiration date of May 31, 1976 [401(a)(vii-viii)]. Petitioner also fails to advance an adequate hardship statement. Petitioner cites an annual fuel cost increase of 14% for a total of \$20,413. As the variance sought is for only 9 months, the actual cost to Petitioner would be less than that alleged. Petitioner fails to present any information to support its claim that this cost represents an "unreasonable hardship" [401(b)].

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 14<sup>th</sup> day of August, 1975 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board