

October 11, 1973

FANSTEEL, INC.)

v.)

ENVIRONMENTAL PROTECTION AGENCY)

PCB 73-423

ORDER OF THE BOARD (by Mr. Dumelle):

Petition filed October 3, 1973 is inadequate since is titled a "Petition for Extension of Variance" and yet refers to a previous enforcement case. Petitioner should amend the petition within 30 days into either; (a) variance petition or, (b) a motion to amend the order in PCB 72-76.

If a variance is desired it should specify the rules from which variance is requested and detail the injury to the public that will result in a grant of the variance (see Board Procedural Rules 401(a)(2) and 401(a)(3)).

Failure to timely amend the petition in accordance with the requirements listed above will render the petition liable to dismissal for inadequacy.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 11th day of October, 1973 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board