

ILLINOIS POLLUTION CONTROL BOARD

June 28, 1973

CITY OF CARLYLE,)	
)	
Petitioner,)	
)	
vs.)	PCB 73-264
)	
ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER
(by Mr. Henss)

This proceeding commenced with what appears to be a letter addressed to the Permit Section, Division of Air Pollution Control, Illinois Environmental Protection Agency. The letter refers to prior correspondence and a hearing held before the Federal Power Commission. At one point, the letter requests a variance and at another requests that the letter be considered a new application for operating permit. Because of its reference to a variance the EPA has forwarded the document to us for docketing.

As a variance petition the document is inadequate and it is therefore dismissed with leave to amend. The amended variance petition shall contain a statement indicating that our 90 day period for acting on the petition commences with the filing of the amended variance petition. It shall also, in compliance with Section 401 of our Procedural Rules, contain:

1. A concise statement of the facts upon which the variance is requested including a description of the business or activity in question; the quantity and type of raw materials processed; an estimate of the quantity and type of contaminant discharged; a description of existing and proposed equipment for the control of discharges; and a time schedule for bringing the activity into compliance.

2. A concise statement of why the Petitioner believes that compliance with the provision from which variance is sought would impose an arbitrary or unreasonable hardship, including a description of the costs that compliance would impose on Petitioner and others and of the injury that the grant of the variance would impose on the public; and
3. A clear statement of the precise extent of the release sought (including the specific identify of laws or regulations from which a variance is sought).

Failure to file an amended variance petition within 30 days will result in having the cause stricken from the docket.

It is so ordered.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 28th day of June, 1973 by a vote of to .
