

ILLINOIS POLLUTION CONTROL BOARD
July 25, 1974

PUREX CORPORATION)
PETITIONER)
)
)
v.) PCB 74-166
)
)
ENVIRONMENTAL PROTECTION AGENCY)
RESPONDENT)
)

ORDER OF THE BOARD (by Mr. Marder)

This case comes to the Board on Petition of Purex Corporation for variance from Rule 205 of Chapter 2 of our Rules and Regulations for a concrete sealer design ated as Quikote Concrete Seal and Franklin Concrete Seal. The Petition was filed April 29, 1974.

On May 6 the Environmental Protection Agency filed its Motion to Dismiss. The Motion alleged a failure of Petitioner to file a petition that met the requirements of Rule 401 of our Procedural Rules in that it did not provide adequate information as to the type of relief requested. The Agency's Motion requested dismissal, or in the alternative an order requiring Petitioner to file an Amended Petition conforming to Rule 401.

On May 16, 1974, the Board, by a 5-0 decision, granted the Agency's Motion in the alternative, ordering Petitioner to file more information relating to what specific rule or regulation relief was requested from, and information as to what hardship would be incurred if the variance was not granted, within 45 days of entry of the order or suffer a dismissal. Such information was due before July 1, 1974.

As no additional information has been filed to date, this Petition will be dismissed.

ORDER

IT IS THE ORDER of the Pollution Control Board that Petition for variance from Rule 205 filed by Purex Corporation April 29, 1974, is dismissed without prejudice for failure to respond to the Board Order requiring more information.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 25th day of July, 1974, by a vote of 5 to 0.

