

ILLINOIS POLLUTION CONTROL BOARD
March 22, 1971

DEPARTMENT OF PUBLIC WORKS AND BUILDINGS))
v.) PCB #71-40
ENVIRONMENTAL PROTECTION AGENCY)

Opinion and Order of the Board (by Mr. Currie):

The Department asks an extension of time to submit plans for upgrading sewage treatment facilities at a rest area by the Sangamon River on Interstate 55 until August 1, 1971, and completion of the new facilities until December 31.

The petition must be amended to conform to Procedural Rule 401. We cannot evaluate the request in the absence of allegations as to what regulation requirements are sought to be extended, what the effect on the receiving stream will be during the requested extension, and why the prescribed deadline was not met. It is not enough to say that the deadline cannot be met because it has already passed; the question is why it was not met before. See Decatur Sanitary District v. EPA, #71-37, decided today. Because the petition could not be granted even if the allegations are all proved, no hearing will be held.

The petition is dismissed without prejudice to the filing of a revised petition conforming to the procedural rules.

This opinion constitutes the Board's findings of fact, conclusions of law, and order.

I, Regina E. Ryan, do hereby certify that the above Opinion and Order was approved this 22nd day, of March, 1971.

REGINA E. RYAN
CLERK OF THE BOARD