

ILLINOIS POLLUTION CONTROL BOARD
February 1, 1996

NUNDA WATER UTILITY CO., INC.,)
)
Petitioner,)
)
v.) PCB 96-140
) (Variance - Public Water Supply)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

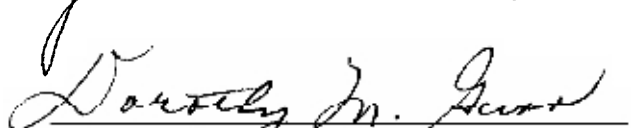
By order of January 4, 1996 the Board noted that the petition in this matter filed by Nunda Water Utility Co., Inc. (Nunda) on December 26, 1995 was deficient. By the same order the Board gave Nunda 45 days to amend the petition.

On January 11, 1996 the Illinois Environmental Protection Agency (Agency) filed a motion to dismiss Nunda's petition on the same deficiency grounds addressed by the Board in its January 4 order.

Inasmuch as the 45-day period granted to Nunda to rectify its deficient petition has not yet fully run, the Board will reserve ruling on the Agency's dismissal motion until the 45-day period is complete.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1st day of February, 1996, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board