

ILLINOIS POLLUTION CONTROL BOARD
November 21, 1991

LAND AND LAKES CO.,)
(#0987120004))
)
Petitioner,)
)
v.) PCB 91-217
) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

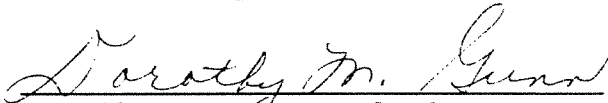
On November 7, 1991, Land and Lakes Co., filed a petition for variance for its facility located on Milwaukee Avenue 1/2 mile north of Deerfield Road Wheeling, Illinois. That petition is deficient in that it fails to provide:

1. A request for hearing on the petition if desired by petitioner, or, in the alternative, a statement waiving a hearing accompanied by such affidavits or other proof in support of the material facts alleged in the petition as the petitioner may submit, sufficient to enable the Board, if it so decides, to rule upon the petition without hearing, as required by 35 Ill. Adm. Code 104.124.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect(s), this matter will be subject to dismissal. The Board notes that for purposes of calculation of the decision deadline pursuant to Section 38 of the Act, the filing of an amended petition will restart the Board's 120 day deadline.

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 21st day of November, 1991, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board