

ILLINOIS POLLUTION CONTROL BOARD  
September 16, 1971

WAUKEGAN PARK DISTRICT )  
 )  
 v. ) # PCB71-266  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

LAKE COUNTY SCHOOL DISTRICT # 64 )  
 )  
 v. ) # PCB71-267  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

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

These two variance petitions seek permission to connect a new recreational building and a new school to sewers serving overloaded treatment plants subject to our connection ban order of March 31 (League of Women Voters v. North Shore Sanitary District, # 70-7). The petitions fail to allege the facts required by our procedural rules, or sufficient facts to bring these cases within the precedents for granting such variances as laid down in our numerous decisions. We think the quickest way to a decision on the merits is to dismiss the petitions for procedural inadequacy, granting leave to amend. If facts are alleged that will fit the precedents or otherwise qualify for a variance, we expect to be able to dispose of the cases without a time-consuming hearing. Verification of the petitions would facilitate such action. See Park Manor v. Environmental Protection Agency, # 71-190 (August 13, 1971).

The petitions are dismissed without prejudice. Mr. Kissel dissents and would authorize a hearing.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 16 day of September, 1971.

