

ILLINOIS POLLUTION CONTROL BOARD
March 24, 1988

HOWARD P. SPURGEON d/b/a HIGHVIEW)
ESTATES SUBDIVISION,)
)
Petitioner,)
)
v.) PCB 87-111
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

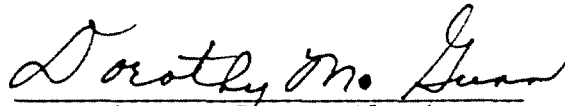
ORDER OF THE BOARD (by J. Marlin):

On February 29, 1988, a letter written by Frederick D. Berry was filed with the Board. In the letter, Berry requests on behalf of the Petitioner that the variance which the Board granted in this matter on February 4 be modified so as to extend by six months the termination date of the variance as well as the other deadlines in the compliance schedule. The Board has construed this letter as a motion for modification by the Petitioner of the Board's February 4th Order.

On March 14, the Agency filed a Response which requests that the Board deny the Petitioner's motion. Also on March 14th, the Board received a copy of certification of acceptance signed by Howard Spurgeon. Given the fact that the Petitioner has filed a signed certificate of acceptance, agreeing to be bound by the terms of the February 4th variance, the Board is uncertain as to whether the Petitioner still wishes the Board to modify the terms of that variance. The Petitioner shall inform the Board of his intentions. This written clarification shall be filed by April 12, 1988.

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 24th day of March, 1988, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board