

ILLINOIS POLLUTION CONTROL BOARD
May 2, 1985

ILLINOIS-AMERICAN WATER CO.,)
)
Petitioner,)
)
v.) PCB 85-55
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

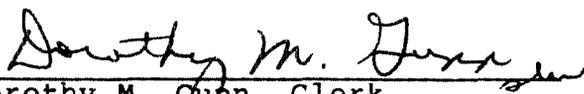
ORDER OF THE BOARD (by J. Anderson):

This petition, filed April 23, 1985, requests variance from the effluent standards for TSS and total iron of 35 Ill. Adm. Code 304.124(a), and notes the contemporaneous filing of a petition for site specific rule concerning same (R85-11). On May 1, 1985, the Agency filed a motion to dismiss with leave to reinstate, citing various deficiencies in the petition and noting problems with petitioner's suggestion that information not contained in the petition would "be developed" in the course of the R85-11 proceeding.

The motion to dismiss is denied at this time. However, if an amended petition curing the deficiencies noted in the Agency's May 1 motion is not filed within 45 days of the date of this Order, this variance petition will be subject to dismissal.

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 22 day of May, 1985 by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board