

ILLINOIS POLLUTION CONTROL BOARD  
May 5, 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):

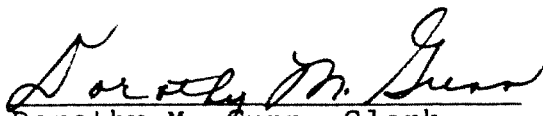
On March 24, 1988, the Board issued an order requesting that the Petitioner inform the Board as to his intentions concerning the variance that he was granted on February 4, 1988.

On February 29, 1988, the Board received a letter which it construed as a motion for modification of the February 4th variance. Subsequently, the Petitioner filed a certificate of acceptance for the February 4th variance in which the Petitioner agreed to be bound to all the terms of the variance. These filings prompted the Board's March 24th Order.

In response, the Petitioner filed a letter on April 6, 1988 stating that his certificate of acceptance was valid and that he intended to proceed with his construction project. The Board construes this letter as a motion to withdraw the previous motion for modification. The Board hereby grants the motion to withdraw.

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 5<sup>th</sup> day of May, 1988, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board