

ILLINOIS POLLUTION CONTROL BOARD
November 5, 1981

LURIA BROTHERS & COMPANY, INC.,)
)
) Petitioners,)
)
) v.) PCB 81-168
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY)
)
) Respondent.)

ORDER OF THE BOARD (by D. Anderson):


On October 28, 1981 Luria Brothers & Company, Inc. filed a petition for a variance from Rule 502(a) of Chapter 2: Air Pollution to allow construction of an air curtain destructor to handle wood wastes from boxcar dismantling. The petition fails to provide much of the information required by Procedural Rule 401, including the following:

1. Permit status [Procedural Rule 401(a)(7)]
2. A request for hearing or, alternatively, a statement waiving hearing together with an affidavit [Procedural Rule 401 (b)]
3. A statement indicating whether the Board may grant a variance consistent with federal law [Procedural Rule 401(d)].

The Board finds the petition deficient for the reasons noted in the first paragraph. This matter will be subject to dismissal unless an amended petition addressing the noted deficiencies is filed within 45 days of the date of this Order. The decision period will commence with the filing of a sufficient amendment.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5th day of November, 1981 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board