

ILLINOIS POLLUTION CONTROL BOARD

April 5, 1984

SPRINGFIELD AND SANGAMON)	
COUNTY COMMUNITY ACTION, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 84-32
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Anderson):

This petition for variance, filed March 21, 1984, is deficient in several respects, failing to contain much of the information required by 35 Ill. Adm. Code 104.21. The petition does not specify from which rules variance is requested, although it would appear that relief is needed from 35 Ill. Adm. Code 309.241. As petitioner appears to be seeking authorization to directly hook on to sewers owned by the Williamsville Sewer Commission, and tributary to its treatment plant, the Sewer Commission must be joined as a party to this action (either as a petitioner if it supports the petition, or a respondent if it does not), and must be served with a copy of the petition pursuant to 35 Ill. Adm. Code 103.123. Concerning the sewers, further information is needed as to why and when restricted status was imposed on the sewer system, what their current capacity is and what they will be after repairs are made, and what repairs are being made and when they will be completed. This information should also be supplied regarding the Williamsville sewage treatment plant.

Concerning the apartment development, further information is needed on the development's location; when planning and construction of the development commenced; its knowledge of restricted status; the amount of money expended on the project, and when; and facts indicating whether there is a community need for low income housing. Finally, the petition fails to contain either a request for hearing, or a waiver of hearing plus an affidavit attesting to the truth of the facts alleged as required by 35 Ill. Adm. Code 104.124.

If an amended petition curing the noted deficiencies is not filed within 35 days of the date of this Order, this petition will be subject to dismissal.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above and Order was adopted on the 5th day of April, 1984 by a vote of 6-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board