

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1985

CITY OF ROCK ISLAND,)
)
 Petitioner,)
)
 v.) PCB 85-3
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On January 10, 1985, the City of Rock Island ("Rock Island") filed a petition for variance from 35 Ill. Adm. Code 304.106 and 304.124(a). Rock Island's petition is deficient or ambiguous in the following areas:

1. The petition does not clearly state what the term of the requested variance is. The Board presumes, from the compliance schedule, that variance would end on July 1, 1987, but clarification on this point is necessary.
2. Petitioner refers to a pending "'site-specific' exemption" proceeding on page six of the petition. This rulemaking, R84-18, was dismissed on November 21, 1984, for deficiencies in the pleadings and supporting record. Rock Island must address the impact of this dismissal on their variance request and compliance plan.
3. Petitioner relies on supporting documents from the now dismissed R84-18 proceeding, but fails to specifically incorporate this material by reference. Rock Island must do this if it wishes to support its variance petition with this material.

Unless an amended petition is filed within 45 days curing the above noted defects, this matter 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 10th day of January, 1985 by a vote of 5-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board