

ILLINOIS POLLUTION CONTROL BOARD  
May 14, 1987

MT. VERNON ASSOCIATION, INC.,     )  
                                          )  
                                  Petitioner,     )  
                                          )  
                                  v.                     )                     PCB 87-56  
                                          )  
ILLINOIS ENVIRONMENTAL             )  
  PROTECTION AGENCY,             )  
                                          )  
                                  Respondent.     )

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon a May 1, 1987 Petition for Variance filed by the Mt. Vernon Association, Inc. (Mt. Vernon). Mt. Vernon requests a variance from provisions set forth in the Board's Opinion and Order of November 21, 1985 in the case of PCB 84-84. However, the Board finds this petition deficient in that it fails to include:

- 1) A clear and complete statement of the precise extent of the relief sought, including specific identification of the particular provisions of the regulations or Board Order from which the variance is sought;
- 2) A description of the business or activity of the petitioner including the size of the business and number of employees and a description of the location and area affected by petitioner's operations;
- 3) The quantity and types of materials used in the process or activity for which the variance is required and full description of the particular process or activity in which the materials are used;
- 4) Data describing the nature and extent of the present failure to meet the numerical standards or particular provisions from which the variance is sought and a factual statement why compliance with the Act and regulations was not or cannot be achieved by the required compliance date;
- 5) A detailed description of the existing and proposed equipment or proposed method of control to be undertaken to achieve full compliance with the Act and regulations, including a time schedule for the implementation of all phases of the control program from initiation of design to program completion and the

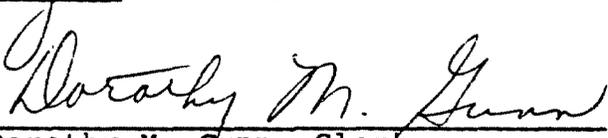
estimated costs involved for each phase and the total cost to achieve compliance;

- 6) An assessment, with supporting factual information, of the environmental impact that the variance will impose on human, plant, and animal life in the affected area, including, where applicable, data describing the existing air and water quality which the discharge may affect;
- 7) Past efforts to achieve compliance including costs incurred, results achieved, permit status;
- 8) A discussion of the availability of alternate methods of compliance, the extent that such methods were studied, and the comparative factors leading to the selection of the control program proposed to achieve compliance;
- 9) A statement of the measures to be undertaken during the period of the variance to minimize the impact of the discharge of contaminants on human, plant, and animal life in the affected area;
- 10) A concise factual statement of the reasons the petitioner believes that compliance with the particular provisions of the regulations or Board Order would impose an arbitrary or unreasonable hardship;
- 11) A statement indicating whether the Board may grant the requested relief consistent with the Resource Conservation and Recovery Act and Federal Regulations adopted pursuant thereto; and
- 12) Proof of service upon the Illinois Environmental Protection Agency.

Unless an amended petition curing the above-noted defects is filed within 45 days, 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 14<sup>th</sup> day of May, 1987 by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board