

ILLINOIS POLLUTION CONTROL BOARD
October 9, 1986

VILLAGE OF ELIZABETHTOWN,)
)
 Petitioner,)
)
 v.) PCB 86-158
)
ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

This matter comes before the Board upon a September 30, 1986, petition for variance filed by Wendell Brownfield. That petition is deficient in that it fails to include any indication that a copy of the petition has been filed with the Illinois Environmental Protection Agency as required by 35 Ill. Adm. Code 104.120. Further, the petition fails to indicate that it is filed on behalf of the village of Elizabethtown which would be the proper petitioner rather than Mr. Brownfield. The Board presumes this to be the case and has encaptioned this proceeding as such. However, some statement regarding this should be made. The petition also fails to waive or request hearing as required by 35 Ill. Adm. Code 104.124.

Unless these deficiencies are cured through the filing of an amended petition within 45 days of the date of this Order, the petition 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 9th day of October, 1986 by a vote of 6-0.

Dorothy M. Gunn, Clerk
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