

ILLINOIS POLLUTION CONTROL BOARD
December 3, 1981

NATIONAL CAN COMPANY,)
)
 Petitioner,)
)
 v.) PCB 81-189
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)


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

On December 2, 1981 the National Can Company filed a petition for variance from Rule 205(n) of Chapter 2: Air Pollution. That petition is defective in that there is no analysis showing that the Board may grant the requested relief consistent with the Clean Air Act, no showing of arbitrary or unreasonable hardship, and no request or waiver of hearing (see Procedural Rule 401). The Board notes that if hearing is waived, that waiver must be accompanied by an affidavit in support of the material facts alleged (Rule 401(b)).

Unless the above-noted defects are cured by 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, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify that the above Order was adopted on the 3rd day of December, 1981 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board