

ILLINOIS POLLUTION CONTROL BOARD
August 28, 1986

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 78-135
)
VILLAGE OF PALOS PARK,)
)
Respondent.)

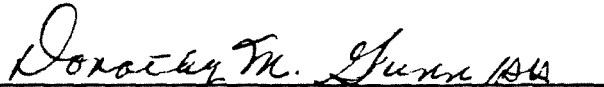
ORDER OF THE BOARD (by J. D. Dumelle):

This matter comes before the Board upon an August 27, 1986 filing on behalf of the Village of Palos Park (Village) which purports to be a petition for permanent variance from paragraph 13 of the Settlement Agreement which was incorporated by reference in to the Board's April 3, 1986 Order in this matter. (38 PCB 13). Since neither the Board rules nor the Illinois Environmental Protection Act allow for the issuance of permanent variances, the Board construes the petition as a motion to modify the Board Order.

The Board cannot rule on that motion at this time for two reasons: The Illinois Environmental Protection Agency (Agency) has not had an opportunity to respond to it and the Board no longer has a copy of the Settlement Agreement which the Village wishes to modify. Therefore, the Village is hereby ordered to submit a copy of that agreement to the Board and the Agency on or before September 19, 1986, and an Agency response to the motion will be due on or before October 3, 1986.

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 28th day of August, 1986 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board