

ILLINOIS POLLUTION CONTROL BOARD
August 21, 1980

DIAMOND DEVELOPMENT CO.,)
)
 Petitioner,)
)
 v.) PCB 80-154
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by I. Goodman):

The variance petition filed August 20, 1980 is deficient under Part IV of the Board's Procedural Rules for the following reasons:

1. Neither is hearing requested nor is an affidavit regarding the facts alleged in the petition included;
2. The statement of hardship does not specify the arbitrariness or unreasonableness of requiring Diamond to comply with Rule 962 of Chapter 3; and
3. The Board cannot provide full relief without the City of Fairfield being made a party petitioner hereto by Diamond.

If Petitioner does not file a more specific statement of hardship, a waiver (plus affidavit) or request for hearing, and proof of service of process upon the City joining it hereto, all within 15 days of the date of this Order, the petition is 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 21st day of August, 1980 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board