

ILLINOIS POLLUTION CONTROL BOARD
June 3, 1976

VERMILLION TILE COMPANY, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 76-136
)	
)	
ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by Mr. Goodman):

On May 11, 1976, Petitioner Vermillion Tile Company, Inc., (Vermillion) filed a Variance Petition before the Pollution Control Board.

Rule 401 of the Board's Procedural Rules provides that a Variance Petition shall contain a time schedule for bringing the activity into compliance and a detailed description of the program to be undertaken to achieve compliance. Vermillion's Petition is inadequate in that it does not contain a time schedule or program for bringing the activity into compliance. Petitioner should amend its Petition to include a program and time schedule for achieving compliance. If the broken tile which Petitioner dumps is itself suitable cover, Petitioner should indicate so in its Amended Petition.

Petitioner shall amend the Petition to provide the information described above within 45 days of the date of this order. A waiver of the 90-day decision period set by statute shall also be executed and said decision period shall run from the date of filing of the Amended Petition.

Failure to timely file the Amended Petition shall render the cause liable to dismissal.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 3RD day of June, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board