

ILLINOIS POLLUTION CONTROL BOARD
October 30, 1980

UNITY VENTURES,)
)
) Petitioner,)
)
) v.) PCB 80-175
)
) ILLINOIS ENVIRONMENTAL PROTECTION)
) AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by I. Goodman):

The Agency's October 8, 1980 Motion to Dismiss the petition for variance from Rule 963(a) of the Board's Water Pollution Control Rules and Regulations is granted. Petitioner's October 17, 1980 motion to dismiss this motion is denied.


The relief requested is prospective in nature; therefore, the pleading of hardship is insufficient. The Board does not reach other procedural deficiencies.

The petition is dismissed without prejudice.

IT IS SO ORDERED.

Mr. Dumelle and Mr. Werner dissent.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 30th day of October, 1980 by a vote of 3-2.



Christan L. Moffett, Clerk
Illinois Pollution Control Board