

ILLINOIS POLLUTION CONTROL BOARD
 March 7, 1974

ROBERT A. FOREMAN

v.

ENVIRONMENTAL PROTECTION AGENCY

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PCB 73-492

ORDER OF THE BOARD (by Mr. Dumelle):

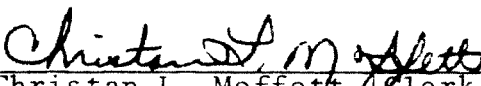
Motion to Reconsider was filed February 14, 1974. The Petitioner alleges that his answers to Agency interrogatories were presumed to have been presented to the Board. He also alleges that the Hyde Park sewer manhole has been repaired and that no polluttional hazard exists. Financial hardship is realleged.

The Agency's Response filed February 26, 1974 states that the interrogatories even had they been filed with the Board would not have satisfied the Board Order of December 4, 1974. The Agency also states that the sewer to which connection would be tributary is the Judge Avenue sewer, which is still inadequate in hydraulic capacity, and not the Hyde Park sewer and that a health hazard would be created were the connection to be allowed. The Agency raises additional questions as to the Petitioner's financial status.

We deny the Motion for Reconsideration. The Board Opinion and Order of February 7, 1974 dismissed the proceeding without prejudice. Petitioner can refile a more adequate petition which satisfies the issues which remain if he so chooses.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7th day of March, 1974 by a vote of 5-0.


 Christan L. Moffett, Clerk
 Illinois Pollution Control Board