

ILLINOIS POLLUTION CONTROL BOARD  
March 29, 1973

MELVIN WATSON and )  
M & W DISPOSAL, INC., )  
 )  
Petitioner, )  
 )  
v. ) PCB 73-120  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by Mr. Seaman):

This petition for variance requests allowance of operation of a solid waste disposal facility without a permit from the Environmental Protection Agency as required by Section 21(e) of the Environmental Protection Act. In the Order of March 22, 1972 in Environmental Protection Agency v. M & W Disposal Company, PCB 72-467, the respondent was allowed 90 days in which to obtain a permit, and only if a permit were not obtained within 90 days would he be required to close. Accordingly, the Board does not know if the relief requested in this petition has been granted in the prior Order.

We are therefore dismissing this petition without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the \_\_\_\_ day of \_\_\_\_\_, 1972, by a vote of \_\_\_\_ to \_\_\_\_.

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