

ILLINOIS POLLUTION CONTROL BOARD
April 4, 1975

CITY OF GALENA,)
)
 Petitioner,)
)
 vs.) PCB 75-138
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Henss):

On April 1, 1975 Petitioner filed its request for variance in order to open burn dead elm trees in the City of Galena. The Variance Petition is inadequate since it does not meet the requirements of our Procedural Rule 401. We, therefore, require Petitioner to submit additional information to conform to the Procedural requirements. We especially need to know the quantity of landscape waste which Petitioner seeks to open burn, location of the burn relative to residential areas, time of the burn and the nature of attempts to dispose of the landscape waste in compliance with the Regulations. Petitioner should explain why an air curtain destructor, properly permitted under the Open Burning Regulations, could not be used to burn the landscape waste.

This additional information and other information required to comply with Rule 401 must be filed with the Board on or before May 14, 1975. If the additional information is not filed within that time the Petition for Variance will be subject to dismissal for inadequacy.

Along with the additional information, Petitioner should file its statement requesting that the 90 day period for deciding the petition commence with the filing of the additional information.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 4th day of April, 1975 by a vote of 3 to 0.

Christan L. Moffett