

ILLINOIS POLLUTION CONTROL BOARD  
October 11, 1973

Joseph Miceli, )  
 )  
 Petitioner, )  
 ) PCB 73-299  
 v. )  
 )  
 Environmental Protection Agency, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by Mr. Seaman):

On September 27, 1973 the Environmental Protection Agency filed a Motion to Dismiss the above captioned cause.

Petitioner, Joseph Miceli, filed a petition for variance which was received by the Board on July 23, 1973.

Petitioner seeks relief from Paragraph 7 of the Pollution Control Board's Order in League of Women Voters v. North Shore Sanitary District, PCB 70-7, 70-12, 70-13, 70-14, in order to obtain a sewer connection for a ten unit apartment building currently under construction at 1415 Broadway Avenue in North Chicago, Lake County, Illinois.

In an Interim Order in this matter, dated July 26, 1973, the Board directed Petitioner to file an amended Petition within thirty days of the date of said Order. The Board found Petitioner's allegations so deficient and incomplete that it could not find sufficient facts upon which a reasoned decision could be made.

Petitioner has failed, as of the date of this Order, to file an amended petition as ordered by the Board.

Therefore, the Petition for Variance of Joseph Miceli is, hereby, dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 11<sup>th</sup> day of October, 1973 by a vote of 4 to 0.

Christan L. Moffett