

ILLINOIS POLLUTION CONTROL BOARD

September 19, 1974

CITY OF NASHVILLE,)
Petitioner,)
)
v.) PCB 74-114
)
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent.)

ORDER OF THE BOARD (by Dr. Odell)

On March 27, 1974, Petitioner filed its request for variance. On March 28, 1974, the interim Order of the Pollution Control Board requested additional information pursuant to our Procedural Rule 401. Petitioner was given 35 days in which to file the additional information. We indicated that failure to timely file the information would make the Petition liable to dismissal for inadequacy. On June 19, Petitioner waived for an indefinite period the 90-day decision requirement in Section 38 of the Environmental Protection Act. The City stated that "we are currently reconsidering our goals and objectives as they pertain to our landfill operation and we will be contacting you later about our decisions with respect to the variance request."

Sufficient time has passed to enable Petitioner to file additional information pursuant to Procedural Rule 401. Petition for Variance is dismissed without prejudice because of inadequacy.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 19th day of September, 1974, by a vote of 5 to 0.


Christan L. Moffett