

ILLINOIS POLLUTION CONTROL BOARD
March 9, 1995

INSPIRATION DEVELOPMENT CO.,)	
)	
Petitioner,)	
)	
v.)	PCB 94-279
)	(Variance - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Theodore Meyer):

On October 4, 1994 Inspiration Development Co. (Inspiration) filed a petition for variance. On October 19, 1994 the Illinois Environmental Protection Agency (Agency) filed a motion to dismiss that petition. On October 20, 1994 the Board denied the motion to dismiss but found the petition deficient and ordered an amended petition within 45 days. On December 5, 1994 Inspiration filed a request for an extension of time to comply with the Board's October 20, 1994 order. On December 14, 1994 the Agency filed its response and did not object to granting Inspiration an extension of time to amend its variance. On December 14, 1994 the Board granted Inspiration an extension to file an amended petition no later than February 7, 1995. On January 3, 1995 Inspiration filed a waiver of the Board's decision deadline until June 30, 1995. The Board has not yet received Inspiration's amended petition or a further waiver of the Board's decision deadline.

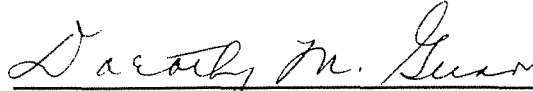
According to filings by Inspiration and the Agency on December 5, 1994 and December 14, 1994, respectively, the parties believed the need for this variance would soon be eliminated.¹ Both parties anticipated resolving this matter within thirty to sixty days of filing. Therefore, their projected time for settlement was February 12, 1995 at the latest.

The Board hereby directs Inspiration to file an amended petition by March 16, 1995 or file a further waiver of the Board's decision deadline. Failure to file either an amended petition or a waiver of decision deadline will subject this petition to dismissal.

¹ The parties are currently negotiating a NPDES permit appeal for the same site in another proceeding before the Board, PCB 93-172, which has a Board decision deadline of July 30, 1995.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9th day of March, 1995, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board