

ILLINOIS POLLUTION CONTROL BOARD
February 6, 1992

CITY OF JACKSONVILLE)	
)	
Petitioner,)	
)	
v.)	PCB 92-8
)	(Variance)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Anderson):

On January 16, 1992, the Illinois Environmental Protection Agency (Agency) filed a Motion to Dismiss. On January 29, 1992, the City of Jacksonville (Jacksonville) filed three documents: a) Motion for Leave to File Instanter; b) Response to Motion to Dismiss; and c) Motion for Instructions.

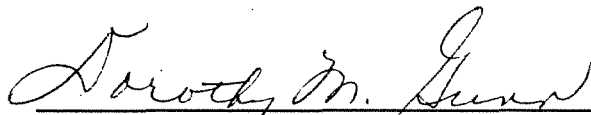
The motion to file instanter is granted.

The motion for instructions is denied. The Board believes that its January 9, 1992 Order clearly articulated the noted deficiencies; it is the petitioner who must articulate how it proposes to cure them. The Clerk is instructed to attach to this Order the January 23, 1992 Land and Lakes Opinion and Order, PCB 91-215.

The Board is postponing action on the Agency's motion to dismiss this matter until the 45 days, given to Jacksonville in our January 9, 1992 Order to cure the noted deficiencies, has run. We note that the holding of the Agency's motion for now does not preclude it from further filings at that time.

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 6th day of February, 1992, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board