ILLINOIS POLLUTION CONTROL BOARD
October 10, 1985

CITY OF HERRIN,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 85-147
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon an October 7, 1985, petition for variance filed on behalf of the City of Herrin. This petition is deficient in that it fails to clearly specify the relief sought in that the Board cannot determine with certainty whether the variance request is intended to cover all 98 houses in Sunnyside 1st, 2nd, 3rd Additions or whether only the 83 which allegedly contain failing septic systems are to be included. Presuming that all 98 are intended, the petition fails to contain any statement of arbitrary or unreasonable hardship regarding the 15 homes without failing systems. Finally, the City purports to waive hearing but fails to include an affidavit in support of the material facts alleged in the petition.

Unless the City files an amended petition within 45 days of the date of this Order curing the above-noted defects, this proceeding will be subject to dismissal.

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 10th day of October, 1985 by a vote of 7-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board