

ILLINOIS POLLUTION CONTROL BOARD
May 29, 1984

AMEROCK CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 84-62
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):


This variance petition, filed May 29, 1984, does not strictly comply with the requirements of Section 104.124 of the Board's procedural rules. First, while the cover letter waives hearing, it also "reserves the right to request a hearing at a later date". Section 104.124 requires that a hearing waiver be unconditional. (However, giving an unconditional waiver at this time does not waive petitioner's right pursuant to Section 104.181 to request a hearing within 7 days after receipt of the Agency Recommendation.)

Second, while the cover letter purports to "attest to the validity of the information presented", this "attestation" is unacceptable as it is not in the form of a notarized affidavit.

If an amended petition curing these deficiencies is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 29th day of May, 1984 by a vote of 6-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board