

ILLINOIS POLLUTION CONTROL BOARD  
September 20, 1984

IBP, INC., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 84-143  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

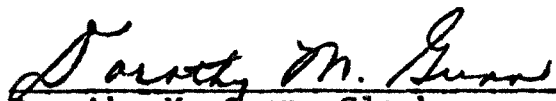
ORDER OF THE BOARD (by B. Forcade):

On September 17, 1984, IBP, Inc. ("IBP") filed a Petition for Variance that would extend an existing variance from 35 Ill. Adm. Code 304.120(a) which was granted in case number PCB 82-131 on January 27, 1983. This previous variance expired on July 1, 1984. Petitioner requests a variance for a 270 day period from September 17, 1984, yet it is unclear why this length of time is needed. Petitioner states that there has been a five-week extension of the construction schedule for the new treatment facilities. However, there is no clear explanation regarding the longer requested variance period.

IBP's Petition is deficient in that it does not adequately address the factual reasons why an additional 270 days is required for ultimate compliance when the new treatment facility is essentially complete now. Unless an amended petition is filed within 45 days curing this defect, this matter will be subject to dismissal. Any amended petition filed that contains additional facts should be supported by an affidavit attesting to these new facts.

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 20<sup>th</sup> day of September, 1984 by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board