

ILLINOIS POLLUTION CONTROL BOARD
September 20, 1971

MALIBU VILLAGE LAND TRUST)

v.)

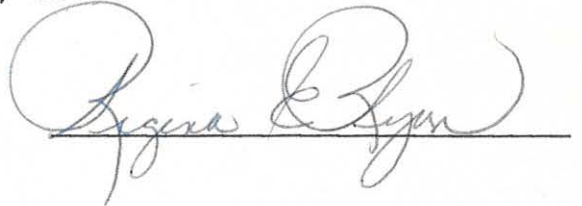
ENVIRONMENTAL PROTECTION AGENCY)

70-45S

Opinion and Order of the Board (by Mr. Currie):

Malibu was granted a variance until July 15, 1971 to complete improvements to a sewage treatment lagoon in Carbondale. A supplemental petition was filed asking that we extend the variance until September 15 on the ground that unusually wet weather had interfered with the timetable. Given the short time requested, we scheduled no hearing. The Agency recommended a grant subject to proof of the weather problem and proof that a penalty earlier assessed had been paid. But September 15 has come and gone, and the work presumably has been completed. If problems remain the Agency may file a complaint. Barring that, there are no issues between the parties, and the variance request is moot. The petition is dismissed. National Gypsum Co. v. Environmental Protection Agency, # 71-99 (August 2, 1971).

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order of the Board this 20 day of September, 1971



Regina E. Ryan