

ILLINOIS POLLUTION CONTROL BOARD  
December 20, 2018

SANITARY DISTRICT OF DECATUR, )  
)  
Petitioner, )  
)  
v. ) PCB 14-111  
) (Time-Limited Water Quality Standard)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

ORDER OF THE BOARD (by K. Papadimitriou):

On December 5, 2018, the Sanitary District of Decatur (District) filed a motion to stay this proceeding (Mot.) pending the conclusion of a related rulemaking. The proceeding concerns the District's petition to extend a 2010 variance relieving the District from the water quality standards for nickel at its sewage treatment plant at 501 Dipper Lane, Decatur, Macon County. The treatment plant discharges to the Sangamon River. The District's petition was converted into a "time-limited water quality standard" petition under Section 38.5 of the Illinois Environmental Protection Act. 415 ILCS 5/38.5 (2016).

On October 5, 2017, the Board granted the District's motion to stay this proceeding until December 31, 2018, to allow the related site-specific rulemaking proceeding R14-24 to conclude. In the docket R14-24, the District filed a site-specific rule proposal, asking for a permanent relief from the same standards that are subject of this proceeding. Proposed Site Specific Rule for Sanitary District of Decatur from 35 Ill. Adm. Code Section 302.208(e), R14-24. The Board adopted the District's proposed site-specific rule in R14-24 on November 15, 2018, and it became effective on November 19, 2018. 5 ILCS 100/5-40(d).

The District is now requesting to extend the stay in this proceeding until the United States Environmental Protection Agency (USEPA) approves or disapproves the adopted site-specific rule. Mot. at 3. The State must submit the adopted rule to USEPA for approval within 30 days of its final action (40 CFR 131.20(c)), and USEPA then has 60 days to approve or 90 days to disapprove it (40 CFR 131.21(a)). *Id.* The Board did not receive any objections to the motion.

Because adoption of the site-specific rule in R14-24 and its approval by USEPA may make this proceeding unnecessary, the Board grants the District's motion, and extends the stay of this proceeding until USEPA's final decision on the site-specific rule. The Board directs the District to promptly notify the Board of the USEPA's decision. The Board also directs the District to file a status report by February 25, 2019.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 20, 2018, by a vote of 5-0.

 Don A.

Brown, Clerk  
Illinois Pollution Control Board