

ILLINOIS POLLUTION CONTROL BOARD
December 6, 2001

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|------------------------|---|----------------------------------|
| CITY OF CANTON, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 02-42 |
| |) | (Variance – Public Water Supply) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (R.C. Flemal):

This matter is before the Board pursuant to a petition for variance filed by the City of Canton (Canton), on October 1, 2001. On November 15, 2001, the Illinois Environmental Protection Agency (Agency) filed its recommendation for variance, and on November 19, 2001, the Agency filed a motion to amend the recommendation. Also on November 19, 2001, Canton filed a waiver of hearing and acceptance of the recommendation. Canton did not file a response to the Agency's motion to amend.

The Agency's proposed amendment is non-substantive and Canton did not file any response to the motion. Accordingly, the motion to amend the recommendation is granted. In the petition, Canton requested that a hearing be held. As noted, Canton is now waiving the hearing. The Board has not scheduled or publicly noticed a hearing in this matter. This waiver is accepted, and the Board will decide this matter without a hearing. However, the Board has a number of technical concerns that it intended to address at hearing, and Canton is directed to provide the following additional information to the Board:

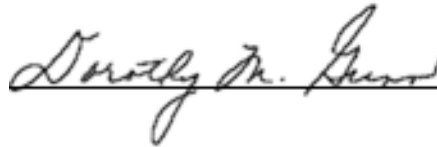
1. Identify the specific sections and subsections that the variance would apply and cite the effective dates.
2. Explain the following apparent inconsistency: page 6 of the petition references a 60% average minimum monthly turbidity compliance rate while the remainder of the petition (pages 6, 11, 12, and 13) references a 25% rate.
3. Based on the costs provided on pages 10-11 of the petition, the total cost presented as \$411,500 appears to be miscalculated. Explain this apparent error in total cost calculation.
4. Does any data exist on the non-occurrence of *Giardia* or *Cryptosporidium* in the reservoir from any time other than the October 1993 sample? Was that sample taken after a recent rain event? Have there been any changes in the watershed over the past eight years? Are there any livestock farms or animal wildlife areas in the watershed?

5. Provide data to support the claim that neither *Giardia* nor *Cryptosporidium* have ever been found in the filtered water. If found, what levels would be considered acceptable?
6. If *Cryptosporidium* were detected in the finished water, what course of action would Canton take?

The additional information must be submitted on or before December 31, 2001. Please note that the Board will consider the submittal of the requested information an amended petition that will recommence the statutory decision deadline in this matter.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 6, 2001, by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board