

ILLINOIS POLLUTION CONTROL BOARD  
July 7, 1995

PETITION OF THE GALESBURG )  
SANITARY DISTRICT, GALESBURG, )  
ILLINOIS, FOR AN ADJUSTED ) AS 94-20  
STANDARD FROM 35 ILL. ADM. ) (Adjusted Standard-Water)  
CODE PART 304.105 )  
AMMONIA NITROGEN )

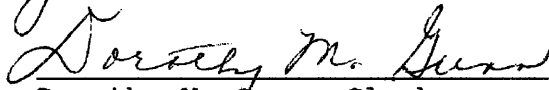
ORDER OF THE BOARD (by J. Yi):

On December 30, 1994, the Galesburg Sanitary District (District) filed a petition for adjusted standard pursuant to 35 Ill. Adm. Code Part 106 and Section 28.1 of the Environmental Protection Act (Act). (415 ILCS 5/28.1 (1994).) The District is seeking an adjusted standard from 35 Ill. Adm. Code 304.105 as it applies to the discharge of ammonia nitrogen to Cedar Creek from its wastewater treatment plant (plant) located in Knox County. The Board on March 16, 1995, granted petitioner's motion for a 30-day stay in this matter to file an amended petition. The District filed the amended petition on April 6, 1995. On June 13, 1995 the Agency filed a motion to dismiss the amended petition for lack of jurisdiction because the District did not notice the amended petition. On June 20, 1995 the District filed a response to the Agency motion to dismiss.

On March 16, 1995, the Board ruled on the District's motion for clarification as to whether a new publication would be required when filing the amended petition. The Board stated that the District would not be required to publish a new notice for the amended petition. The Agency's motion to dismiss is denied. This matter is to proceed to hearing.

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 7<sup>th</sup> day of July, 1995, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board