

ILLINOIS POLLUTION CONTROL BOARD

September 1, 1994

|                             |   |            |
|-----------------------------|---|------------|
| VILLAGE OF HOFFMAN ESTATES, | ) |            |
|                             | ) |            |
| Petitioner,                 | ) |            |
|                             | ) |            |
| v.                          | ) | PCB 94-222 |
|                             | ) | (Variance) |
| ILLINOIS ENVIRONMENTAL      | ) |            |
| PROTECTION AGENCY,          | ) |            |
|                             | ) |            |
| Respondent.                 | ) |            |

ORDER OF THE BOARD (by C.A. Manning):

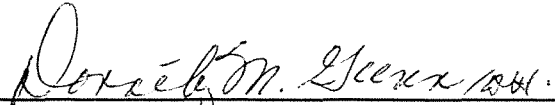
On August 16, 1994, the Village of Hoffman Estates ("Village") filed a petition for variance for its public water supply facility. The Village is a municipal corporation with 50,000 residents located in northwest Cook County and is a member of the Joint Action Water Agency which supplies water from Lake Michigan for the Village's public water supply. The petition requests a variance from the public notification requirements of Subpart T, 35 Ill. Adm. Code 611.851 - 611.855.

A sufficient petition must satisfy the petition content requirements of the Board's procedural rules in 35 Ill. Adm Code Sections 104.120-104.124. The petition filed by the Village is deficient in that it is missing three essential elements: (1) the petition fails to include a plan for ultimate compliance or any basis for relief from the compliance plan requirement of Section 104.121; (2) the Village's petition fails to indicate whether the Board's granting of the requested variance would be consistent with federal law as is required in Section 104.122; and (3) the petition does not indicate whether the Village is requesting a hearing pursuant to Section 104.123, or whether the Village is waiving the hearing.

Unless an amended petition is filed within 45 days of the date of this order, curing the above-noted defects, this matter will be subject to dismissal pursuant to Section 104.124. The Board notes that for purposes of calculation of the decision deadline pursuant to Section 38 of the Environmental Protection Act (415 ILCS 5/38), the filing of an amended petition will restart the Board's 120-day deadline.

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 1<sup>st</sup> day of September, 1994, by a vote of 6-0.



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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board