

ILLINOIS POLLUTION CONTROL BOARD
April 23, 1992

IN THE MATTER OF:)
)
PETITION OF THE DECATUR SANITARY) AS 91-7
DISTRICT FOR ADJUSTED STANDARD) (Adjusted Standard)
FROM 35 ILL. ADM. CODE 306.305(b))

ORDER OF THE BOARD (by G. T. Girard):

On September 12, 1991, the Board accepted this petition for adjusted standard from the Decatur Sanitary District (the District). On January 9, 1992, the Board directed the Illinois Environmental Protection Agency (the Agency) to file the response to the petition by February 10, 1992. Under Section 106.714 of the Board's procedural rules, the Agency is required to file a response "not later than 30 days after the filing of the petition". On February 21, 1992, the Agency filed its response, recommending that the petition be granted with conditions.

The Agency's response also stated:

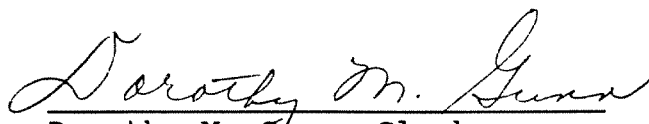
the Agency generally supports the District's petition for adjusted standard. However, the Agency is concerned about the public safety issues raised by the petition, in light of the proximity of CSOT [combined sewer overflow treatment] facilities to residential areas, and believes that, in order to adequately satisfy public interests and to ensure that residents living near the affected water are informed of this proposal, a hearing should be held in this matter, and requests tht [sic] one be held.

Section 106.713 provides that "[a]ny person may request that a public hearing be held in an adjusted standard proceeding. Such requests shall be filed not later than 21 days after the date of the publication of the petition". The notice of the petition was published September 1, 1991.

The Board notes that no filings have been received from the public in this proceeding. As the notice of petition was published over 7 months ago, it would appear that the public's interest in this proceeding is minimal. Further, if the Board were to require that a hearing be held the decision in this matter would be further delayed. Therefore, the Board does not believe that holding a public hearing in this matter is necessary at this time. The Board will proceed to decision on this matter.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 23rd day of April, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board