

ILLINOIS POLLUTION CONTROL BOARD
July 11, 1991

VILLAGE OF FOX RIVER GROVE,)
)
 Petitioner,)
)
 v.) PCB 91-104
) (Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On June 21, 1991, the Village of Fox River Grove filed a petition for variance for its facility located in Fox River Grove, McHenry County, Illinois. That petition seeks relief as it pertains to contamination which appears to have been coming from certain nearby property to affect the public water supply well. That petition is deficient in that it fails to provide:

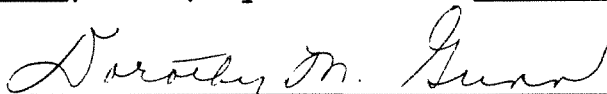
1. Data describing the nature and extent of the present failure to meet the numerical standards or particular provisions from which the variance is sought and a factual statement why compliance with the Act and regulations was not or cannot be achieved by the required compliance date, as required by 35 Ill. Adm. Code 104.121(e);, and
2. An assessment, with supporting factual information, of the environmental impact that the variance will impose on human, plant and animal life in the affected area, including, where applicable, data describing the existing air and water quality which the discharge may affect, as required by 35 Ill. Adm. Code 104.121(g);

Specifically, the Board requests that Fox River Grove provide copies of all analytical testing data on wells #1 and #2 for organic contaminants since 1986. In addition, the petition at paragraph #16 lists detection of "cis-1,2-dichloroethane". No such chemical exists. Petitioner is requested to clarify which contaminants were detected in wells #1 and #2, and at what levels.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect(s), this matter will be subject to dismissal. The Board notes that for purposes of calculation of the decision deadline pursuant to Section 38 of the Act, 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 11th day of July, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board