

ILLINOIS POLLUTION CONTROL BOARD
May 24, 1990

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|------------------------------|---|--------------------------------|
| STATE OIL COMPANY, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 90-102 |
| |) | (Water Well Setback Exception) |
| |) | |
| DR. AND MRS. JAMES KRONE and |) | |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondents. |) | |

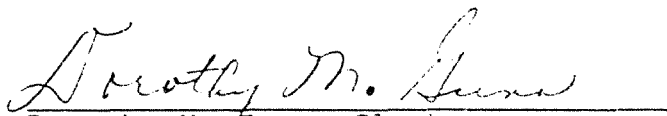
ORDER OF THE BOARD (by J. Marlin):

This petition seeks a well water setback exception pursuant to Section 14.2(c) of the Act and 35 Ill. Adm. Code 106.601 et seq. The matter is accepted for hearing and will be assigned to a Hearing Officer.

The Board notes that the property owners who have declined, pursuant to Section 14.2(b) of the Act, to grant a waiver of the setback requirements have been served with this petition as required by the Part 106 rules. Although the Part 106 rules do not so require by their terms, the Board believes that it is appropriate to join the property owners as parties respondent pursuant to 35 Ill. Adm. Code 103.121 and 103.141, as persons who have "an interest which the [Board's] order may affect". The caption in this case has been amended to reflect this joinder. The Clerk is directed to provide these new respondents with a copy of the Act and the Board's procedural rules, as well as this Order, via first class mail, in addition to making usual service of this Order. As petitioner has already served them with the petition, no additional copy need be sent.

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 24th day of May, 1990, by a vote of 7-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board