

The Agency supports a variance in this instance. Petitioner has indicated that the existing wells will supply the village with water in which the barium content does not exceed 4 mg/l. Although USEPA may consider changing the Federal barium standard or the date for compliance, the Agency does not believe that Petitioner should rely on this contingency. Consequently, the Agency recommends and the Board will require that Petitioner devise a compliance plan within 6 months to meet the present standard.

This Opinion constitutes the Board's finding of fact and conclusions of law in this matter.

ORDER

It is the Order of the Pollution Control Board that Petitioner be granted a variance from the maximum concentration limit for barium in Rule 304 B 4 of Chapter 6: Public Water Supplies dating from January 3, 1978 until January 1, 1981 subject to the following conditions:

- 1) Petitioner shall maintain a level of 4.0 mg/l barium or less in its finished water.
- 2) Petitioner shall place Well #5 in service in accordance with the Agency's permitting requirements and use it to the fullest extent, consistent with good engineering practices.
- 3) Within six months of the date of this Order, Petitioner shall develop a program which will result in compliance with the present barium standard (1.0 mg/l) and shall submit the program to the Agency for approval. If the program, as approved, provides for the installation of new equipment or the development of additional raw water sources, Petitioner shall obtain the necessary Agency permits and submit quarterly progress reports to the Agency.
- 3) Within 45 days of the date of this Order, Petitioner shall execute a Certification of Acceptance and Agreement to be bound to the terms and conditions of this variance. This 45 day period shall be held in abeyance if this matter is appealed. The Certification shall be forwarded to the Illinois Environmental Protection Agency, Division of Public Water Supplies, 2200 Churchill Road, Springfield, Illinois 62706 and shall read as follows:

CERTIFICATION

I (We), _____, having read and fully understanding the Order in PCB 77-332, hereby accept that Order and agree to be bound by all of its terms and conditions.

SIGNED _____

TITLE _____

DATE _____

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 26th day of April, 1979 by a vote of 4-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board