ILLINOIS POLLUTION CONTROL BOARD September 18, 1975

MT. VERNON GUN AN	ID SPORTSMAN CLUB)	
	Petitioner,)	
v.)) PCB)	75-228
ENVIRONMENTAL PRO	TECTION AGENCY,)))	
	Respondent.	ý	

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle):

The Mt. Vernon Gun and Sportsman Club (Petitioner) filed a variance petition on June 30, 1975 seeking a variance from Rule 203(h) of Chapter 3: Water Pollution Regulations. Petitioner seeks a varian to treat Miller Lake with a fish toxicant, rotenone, as part of a fish management program. The Agency filed its Recommendation on August 28, 1975. No hearing was held.

Petitioner is a recreational organization. It owns and uses Miller Lake, a 131 acre body of water for recreational purposes. The Lake is also used as a backup reservoir for the City of Mt. Vernon's public water supply. Water from the Lake can reach the City's water treatment plant either through pipes which connect the Lake to the Plant via another reservoir, Jaycee Lake, or through spillway discharges pumped by a station to the treatment plant.

Petitioner seeks to make one application of 20 gallons of 5 percent rotenone solution as a concentration of 0.1 parts per million in the shore line area. Petitioner alleges that the solution dispersed throughout the Lake will be in trace amounts only. The Agency states in its Recommendation that the calculated average concentration would be .002 parts per million. The Agency also states that if any of the treated water were to reach the water treatment plant the level of rotenone would be in all probability, unmeasurable.

Petitioner alleges that the planned application will have no clinic or acute affect on humans. The Agency Recommendation notes in agreement that the estimated lethal oral dose of rotenone for humans is 0.2 grams. The Agency also reports that rotenone is relatively harmless to non-target aquatic populations and degrades generally within one to two weeks.

Petitioner states that the treated water of the Lake will be contained, as evaporation prior to the application will have lowered the surface of the Lake to several feet below the spillway. The Agency recommends that despite the apparent absence of a health hazard from the level of rotenone in the treated water, the level of the Lake prior to the application should be sufficiently below the spillway level sc as to prevent any unforeseen discharge. The Agency also recommends that the connection between Lake Miller and Jaycee Lake should be valved off for two weeks after the rotenone application. These precautions should avoid any necessity for change of Mt. Vernon's water treatment process during the application period.

Petitioner fails to indicate whether the fish killed by the rotenone application will be removed from the Lake after the treatment. The Agency recommends that all fish killed by the treatment should be removed from the Lake and disposed of in a properly permitted landfill site.

The Board finds that as the rotenone treatment proposed here is the only practicable method of fish population management, and no hazard to a public water supply is posed and given the precautions discussed above, an unreasonable hardship will be imposed on the Petitioner by a denial of a variance. Therefore, a variance from Rule 203(h) is granted to the Mt. Vernon Gun and Sportsman Club.

This Opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

The Pollution Control Board hereby grants the Mt. Vernon Gun and Sportsman Club a variance from Rule 203(h) of Chapter 3 subject to the following conditions:

- 1. That the rotenone treatment of Miller Lake be limited to one application during the 1975 calendar year.
- 2. That the application of rotenone not exceed twenty gallons of solution of 5 percent liquid rotenone.
- 3. That the application of rotenone be applied by personnel of the Illinois Department of Conservation.
- 4. That the Agency be notified at least twenty-four hours prior to the time of application.
 - 5. That the Petitioner effectively remove all fish

killed by the rotenone treatment from Miller Lake and dispose of them in a permitted landfill site.

- 6. That prior to the applicatin of the rotenone the surface level of Lake Miller be lowered, if necessary, to a level below the spillway which will assure that no discharge of the treated water will occur; and that Petitioner assure that no water from Lake Miller is discharged by the connecting pipe to Jaycee Lake for a period of two weeks after the application of the rotenone solution.
- 7. That Petitioner take a sample of its finished water three days after the application of rotenone to Miller Lake and forward a sample to the Agency for analysis. Petitioner shall also forward additional samples of its finished water as may be required by the Agency.

IT IS SO ORDERED.

I, Christan I. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 18th day of September, 1975 by a vote of 3-0

Christan L. Moffett, Clerk U
Illinois Pollution Control Board