

ILLINOIS POLLUTION CONTROL BOARD

April 10, 1975

VILLAGE OF OMAHA,)
Petitioner,)
)
v.) PCB 75-135
)
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent.)

INTERIM ORDER OF THE BOARD (by Dr. Odell)

On March 31, 1975, the Village of Omaha filed a Petition For Variance with the Illinois Pollution Control Board (Board). Petitioner sought a variance from Rule 203(h) of the Water Pollution Regulations in order to apply Noxfish (rotenone) to the Omaha City Reservoir to reduce the population of stunted bluegills. Additional information is required before the Board can rule on the merits of the City's Petition:

1. What are the uses for the Omaha Reservoir? Is it a public water supply? Is it used for recreational activities, besides fishing, during certain times of the year?

2. If the Reservoir is a public water supply, has consideration been given to applying Fintrol (antimycin), which has a more rapid degradation rate than rotenone?

3. What arrangements have been made to collect and dispose of the dead fish? What is the expected quantity of dead fish?

4. What precautions will be taken to see to it that citizens and other potential users of the Reservoir are properly warned and kept away from the Reservoir during periods of administration of the toxicant?


5. Will the fish biologist be on-site to supervise and direct the fish kill?

We urge Petitioner to read City of Jacksonville v. Environmental Protection Agency PCB 74-92, 13 PCB 631 (September 19, 1974) to better acquaint itself with the kinds of requirements necessary to carry out a fish kill.

The 90-day period for Board decision shall run from the time of the filing of the additional information. Failure to file the necessary information within 45 days of the adoption of this Order will make the Petition For Variance subject to dismissal for inadequacy.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 10th day of April, 1975, by a vote of 4 to 0.


Christan L. Moffett