

ILLINOIS POLLUTION CONTROL BOARD
August 1, 1974

THE FARMINGTON NURSING CORPORATION,

Petitioner,

vs.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB 74-139

ORDER OF THE BOARD (by Mr. Seaman):

On July 31, 1974, the Agency filed an Amended Recommendation in the above-captioned cause. In its original Recommendation, dated July 11, 1974, the Agency recommended that the variance sought be granted, subject to certain conditions.

The Agency has now discovered that the sewage treatment plant, the efficiency of which is important to our decision in this matter, is almost completely shut down and raw sewage is bypassing directly into Little Creek. Based on this new information, the Agency recommends that the variance be denied without prejudice.

Petitioner shall have an opportunity to respond to the Amended Recommendation if it so desires provided that such response is filed on or before September 1, 1974 and further provided that Petitioner file a waiver of the Board's ninety-day decision requirement until November 1, 1974; said waiver must be filed with the Board on or before August 7, 1974.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on this 1st day of August, 1974 by a vote of 5-0.