

ILLINOIS POLLUTION CONTROL BOARD

January 31, 1974

CARSONS INTERNATIONAL, INC.)
)
 v.) PCB 73-498
)
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY)

INTERIM ORDER OF THE BOARD (by Dr. Odell)

On November 27, 1973, Carsons International, Inc. ("Carsons") filed a petition for variance with the Illinois Pollution Control Board regarding the effluent standard requirements of Rule 404(f) of Chapter 3, Illinois Water Pollution Regulations. Petitioner's on-site treatment facility is located in Du Page County, Illinois; he requested a variance through June 30, 1974. He alleged that by that time the Village of Bloomingdale would have completed a sewer trunk line available for connection to his Indian Lakes Country Club.

The Environmental Protection Agency ("EPA") recommended on December 19, 1973, that the variance be granted because "to recommend denial in this matter would be inconsistent with Agency support for regionalization concepts as an efficient and cost-effective means of waste treatment" (page 4 of EPA recommendation).

We find that the November 27 Petition is inadequate in that it does not give us assurances that Petitioner will, in fact, be able to connect to the Village of Bloomingdale's new sewer trunk line. Petitioner merely states that he will connect to the new trunk sewer "as soon as approval is granted by the Village to do so" (paragraph 5 of the Petition). No purpose would be served in granting a variance here when we are **not satisfied** that such a grant would lead to the cessation of water pollution.

Petitioner is ordered to amend the Petition within 21 days by submitting evidence in the form of affidavit or certificate to show that he will be able to connect into the Village of Bloomingdale's new trunk sewer by June 30, 1974. The amended Petition should include a waiver of 21 additional days of the 90-day requirement specified in Section 38 of the Illinois Environmental Protection Act. Failure to timely file the information sought will make the Petition subject to dismissal for inadequacy.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 31st day of January, 1974, by a vote of 5 to 0.


 Christan L. Moffett, Clerk