

ILLINOIS POLLUTION CONTROL BOARD
June 27, 1972

ELGIN SANITARY DISTRICT)
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) #72-211
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ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.)

Petitioner seeks a variance of Rule 404(b) to July 1, 1973 in lieu of July 1, 1972 as therein provided, to bring the BOD and suspended solid components of its sewage discharge to 20 mg/l and 25 mg/l, respectively. The petition sets forth the character of petitioner's operation, the average BOD and suspended solid readings for the months from March, 1971 through February, 1972 inclusive, the time schedule it has pursued to bring its sewage treatment facilities into compliance so far, and the nature of the proposed future improvements.

The Environmental Protection Agency has filed a motion to dismiss the petition for variance contending that the petition has failed to comply with Rule 401(a) of the Regulations of the Pollution Control Board. We believe the petition adequately sets forth the required matters and is not defective for failure to comply with Rule 401(a) of the Board Regulations.

The motion to dismiss is denied. The Environmental Protection Agency is ordered to file its recommendation pursuant to statute.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Order was adopted on the 27th day of June, A. D. 1972, by a vote of 5 to 0.

Christan L. Moffett