

ILLINOIS POLLUTION CONTROL BOARD
March 17, 2005

IN THE MATTER OF:)
)
PETITION OF THE VILLAGE OF) AS 05-2
BENSENVILLE FOR AN ADJUSTED) (Adjusted Standard – Water)
STANDARD FROM 35 ILL. ADM. CODE)
620.410 REGARDING CHLORIDE AND)
LEAD)

ORDER OF THE BOARD (by A.S. Moore):

On January 3, 2005, the Village of Bensenville (Bensenville) filed a petition for an adjusted standard from the Board's groundwater quality standards. Specifically, Bensenville seeks relief from the Class I or potable resource groundwater quality standards at 35 Ill. Adm. Code 620.410(a) for chloride and lead. Bensenville requests less stringent standards for its closed landfill site, which is located in Bensenville, DuPage County.

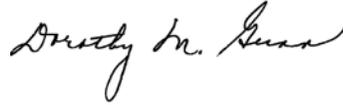
On January 20, 2005, the Board issued an order finding that Bensenville had satisfied the requirement of newspaper notice for adjusted standard petitions under the Environmental Protection Act (415 ILCS 5/28.1 (2002)), a prerequisite to the Board having jurisdiction over this proceeding. In addition, the Board granted Bensenville's motion for expedited review and its motion to file a reduced number of petition copies. However, the Board's January 20, 2005 order also identified several informational deficiencies in Bensenville's petition and directed Bensenville to file an amended petition by February 18, 2005, to cure them.

On February 17, 2005, Bensenville filed a motion to extend the deadline for filing the amended petition to March 4, 2005, representing that the Illinois Environmental Protection Agency (Agency) did not object to the motion being granted. On March 1, 2005, the hearing officer granted Bensenville's motion for additional time. On March 4, 2005, Bensenville filed the amended petition. Bensenville included a motion to file a reduced number of amended petition copies, which the Board grants.

The Board finds that the amended petition addresses the identified informational deficiencies and that with its filing, Bensenville has satisfied the adjusted standard petition content requirements of the Board's procedural rules. *See* 35 Ill. Adm. Code 104.406. As the Board stated in its January 20, 2005 order, the Agency must file its recommendation within 30 days after being served with Bensenville's amended petition. Bensenville, in turn, will have 14 days after being served with the Agency's recommendation to file a response.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 17, 2005, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board