ILLINOIS POLLUTION CONTROL BOARD
November 20, 1980

VILLAGE OF BLUFFS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 80-202
	)	
ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by D. Satchell):

On November 3, 1980 the Village of Bluffs (Bluffs) filed a petition for a variance from Rules 404(a) and 406 of Chapter 3: Water Pollution. At some points the petition appears to also request a variance from NPDES permit conditions. The Board is not authorized to grant variances from permit conditions (Section 35 of the Environmental Protection Act). Relief is available by way of application to the Illinois Environmental Protection Agency (Agency) for permit modification, which may follow a variance from regulations pursuant to Rule 914. The petition requests a variance from Rule 406, which is applicable only to discharges of ammonia nitrogen to the Illinois River. Bluffs discharges to Wolf and Coon Run Creeks rather than the Illinois River. Bluffs may need a variance from Rule 402 if it is not within one of the exceptions of Rule 402.1.

The petition contains a waiver of hearing but no affidavit as required by Procedural Rule 401(b). This matter will be subject to dismissal unless an amended petition addressing the noted deficiencies is filed within forty-five days of the date of this Order. The decision date will commence with the filing of such amendment.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 20th day of November, 1980 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board