

ILLINOIS POLLUTION CONTROL BOARD  
September 4, 1980

ILLINOIS POWER COMPANY, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-143  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by I. Goodman):

The petition of Illinois Power Company, Soyland Power Cooperative, Inc. and Western Illinois Power Cooperative, Inc. filed August 7, 1980 is accepted by the Board as a regulatory proposal. The docket 80-143 is ordered dismissed and the contents redocketed as "R80-17."

Petitioners seek to amend the effluent temperature limitations for Lake Clinton discharges set out in Rule 203(i)(11)(aa) of the Board's Water Pollution Control Rules and Regulations by adding a daily average temperature limitation of 99°F up to 12% of the time and an absolute maximum of 108.3°F during periods when only one generating unit is operating at Clinton Power Station.

Under Rule 203(i)(10)(dd), petitioners may at a regulatory hearing (as opposed to a hearing upon a variance petition) choose two methods of showing the environmental acceptability of effluent to artificial cooling lakes. One is to produce an acceptable environmental impact statement (or assessments used in the preparation thereof) and another is a showing under §316(a) of the Clean Water Act (33 U.S.C. §1251, et seq.).

The Board finds that, because of the nature of the showing required by Petitioners under Rule 203(i)(10)(cc) no statewide economic impact study need be prepared by the Illinois Institute for Natural Resources. The nature of the showing necessarily includes an analysis of economic impact (see Rule 203(i)(10)(dd)).

The Board hereby waives the requirement of 200 citizen signatures and orders the petition to be set for hearing as soon as possible.

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 4<sup>th</sup> day of September, 1980 by a vote of 5-0.



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Christan L. Moffett, Clerk  
Illinois Pollution Control Board