

ILLINOIS POLLUTION CONTROL BOARD  
June 28, 1977

THE VILLAGE OF SAUGET,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 77-136
	)	
ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by Mr. Goodman):

The Environmental Protection Agency (Agency) has filed a motion to dismiss the Petition of the Village of Sauget for a variance from Rules 404(b)(i), 408, 409(a), 901 and 902(j)(5) of Chapter 3: Water Regulations. The motion is granted as to Rules 901 and 902(j)(5). Since the Illinois NPDES program has not yet been approved by the U.S. Environmental Protection Agency, Part IX of Chapter 3: Water Regulations is not in effect and the Pollution Control Board lacks jurisdiction to grant a variance from its provisions. The motion is denied as to Rules 404(b)(i), 408 and 409(a).

The Agency's second motion for an extension of time to file its Agency Recommendation until July 15, 1977 is granted.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28th day of June, 1977 by a vote of 4-0.

Christan L. Moffett, Clerk  
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Illinois Pollution Control Board