

ILLINOIS POLLUTION CONTROL BOARD  
December 18, 1980

VILLAGE OF HANOVER PARK, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-221  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )


ORDER OF THE BOARD (by D. Satchell):

On December 5, 1980 the Village of Hanover Park filed a petition for exemption, pursuant to Section 1416(b)(2)(B)(i) of the federal Safe Drinking Water Act, from the limitation on maximum barium concentration in Rule 304(B)(4) of Chapter 6: Public Water Supplies. To obtain the requested relief Petitioner should petition for a variance from Rule 304(B)(4) pursuant to Part IV of the Procedural Rules. The petition should contain analysis showing compliance with the Safe Drinking Water Act [Procedural Rule 401(f)]. To obtain a variance, Petitioner must show both arbitrary and unreasonable hardship within the meaning of Section 35 of the Environmental Protection Act and that it qualifies for an exemption or variance under the Safe Drinking Water Act (Turnberry Utilities v. IEPA, PCB 79-257, 37 PCB 551, March 20, 1980; Wataga v. IEPA, PCB 80-30, 38 PCB 193, May 1, 1980).

The Board has previously granted Hanover Park a variance from the barium standard (Hanover Park v. IEPA, 79-199, 37 PCB 135, January 10, 1980). There is, however, no statement as to whether the costs of treatment remain the same [Procedural Rule 401(a)(6)]. The results of a study of treatment alternatives alluded to in the previous variance are not included (37 PCB 136). The petition 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 period will commence with the filing of an amended petition.

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

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board