



Petitioner states that the treated water of the Lake will be contained, as evaporation prior to the application will have lowered the surface of the Lake to several feet below the spillway. The Agency recommends that despite the apparent absence of a health hazard from the level of rotenone in the treated water, the level of the Lake prior to the application should be sufficiently below the spillway level so as to prevent any unforeseen discharge. The Agency also recommends that the connection between Lake Miller and Jaycee Lake should be valved off for two weeks after the rotenone application. These precautions should avoid any necessity for change of Mt. Vernon's water treatment process during the application period.

Petitioner fails to indicate whether the fish killed by the rotenone application will be removed from the Lake after the treatment. The Agency recommends that all fish killed by the treatment should be removed from the Lake and disposed of in a properly permitted landfill site.

The Board finds that as the rotenone treatment proposed here is the only practicable method of fish population management, and no hazard to a public water supply is posed and given the precautions discussed above, an unreasonable hardship will be imposed on the Petitioner by a denial of a variance. Therefore, a variance from Rule 203(h) is granted to the Mt. Vernon Gun and Sportsman Club.

This Opinion constitutes the Board's findings of fact and conclusions of law.

#### ORDER

The Pollution Control Board hereby grants the Mt. Vernon Gun and Sportsman Club a variance from Rule 203(h) of Chapter 3 subject to the following conditions:

1. That the rotenone treatment of Miller Lake be limited to one application during the 1975 calendar year.
2. That the application of rotenone not exceed twenty gallons of solution of 5 percent liquid rotenone.
3. That the application of rotenone be applied by personnel of the Illinois Department of Conservation.
4. That the Agency be notified at least twenty-four hours prior to the time of application.
5. That the Petitioner effectively remove all fish

killed by the rotenone treatment from Miller Lake and dispose of them in a perritted landfill site.

6. That prior to the applicatin of the rotenone the surface level of Lake Miller be lowered, if necessary, to a level below the spillway which will assure that no discharge of the treated water will occur; and that Petitioner assure that no water from Lake Miller is discharged by the connecting pipe to Jaycee Lake for a period of two weeks after the application of the rotenone solution.

7. That Petitioner take a sample of its finished water three days after the application of rotenone to Miller Lake and forward a sample to the Agency for analysis. Petitioner shall also forward additional samples of its finished water as may be required by the Agency.

IT IS SO ORDEPED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 18<sup>th</sup> day of September, 1975 by a vote of 3-0.

Christan L. Moffett (gr)

Christan L. Moffett, Clerk  
Illinois Pollution Control Board