

ILLINOIS POLLUTION CONTROL BOARD
October 31, 1990

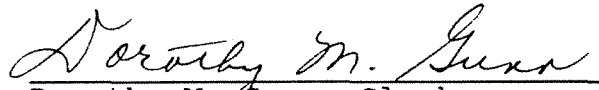
VILLAGE OF SENECA,)
)
 Petitioner,)
)
 v.) PCB 90-194
) (Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Theodore Meyer):

On October 25, 1990, the Village of Seneca filed a petition for variance from restricted status due to violations of the radium-226 and radium-228 standards. The petition is accepted. The Board notes, however, that on page 7 of the petition, Seneca asks that the testimony of Dr. Richard E. Toohey and Dr. James Stebbins, and supporting exhibits, in R85-14 Proposed Amendments to Public Water Supply Regulations be incorporated by reference. Pursuant to Section 101.106 of its procedural rules, the Board will only incorporate materials from another Board proceeding if the material which is to be incorporated is actually provided.¹ The Board does, however, take notice of any discussion or conclusions contained in its prior opinions and orders without requiring actual incorporation of the material. Therefore, if Seneca wants the Board to actually incorporate the material, it must provide that material pursuant to Section 101.106. If Seneca does not provide the material, the Board will assume that it does not want actual incorporation.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 31st day of October, 1990, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

¹ The Board notes that it has adopted new procedural rules since the 1982 version referred to in Seneca's petition. A copy of these new rules will be sent to Seneca with this order.