

ILLINOIS POLLUTION CONTROL BOARD
March 8, 1990

CITY OF BATAVIA,)
)
 Petitioner,)
)
 v.) PCB 89-183
) (Variance)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Marlin):

This variance petition was filed on November 6, 1989. Additional information with various captions was filed on December 11, February 8, and March 5; all of these filings have been construed as amended petitions which restart the Board's decision deadline.

On March 6, the City filed a motion for expedited consideration and decision, noting the termination of its prior variance, and seeking an early decision because "[t]he City is facing unprecedented growth, and has entered into development agreement [sic] for projects to begin construction this spring."

The Board historically attempts to accommodate such requests, consistent with available resources and decision deadlines in other matters. The Board will accordingly grant the City's motion consistent with these constraints, but also notes that Board action in this matter must be deferred until its receipt of the Agency Recommendation required by Section 38 of the Act and Section 104.180 of the Board's procedural rules.

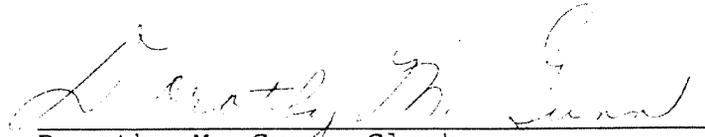
The Board additionally notes that Batavia states that two of its wells have combined radium values of 8.1-9.5 (Well #4) and 7.9-7.5 (Well #5). In the interests of expediting this proceeding, the Board observes that an Agency computer print out document (which is not in this record and which was received by the Board for other purposes) generated February 23, 1990 entitled "Chemical and Radiological MAC Violations" shows Batavia as having a combined radium level of 21.2 pCi/l (9.0 ra 226 and 12.2 ra 228).

The Board requests the parties to provide the Board with the numerical results and dates of all available radiological analyses of the Batavia water supply, and to address what presently appears to the Board to be a discrepancy in data.

IT IS SO ORDERED.

Board Member B. Forcade concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8th day of March, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board