

ILLINOIS POLLUTION CONTROL BOARD

February 17, 2000

THREE COUNTY PUBLIC)	
WATER DISTRICT,)	
)	
Petitioner,)	
)	
v.)	PCB 00-114
)	(Variance - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by R.C. Flemal):

On January 20, 2000, the Board found petitioner's petition for variance did not comply with 35 Ill. Adm. Code 104.122, and granted petitioner 45 days in which to file an amended petition. Petitioner filed an amended petition on February 7, 2000, which complies with 35 Ill. Adm. Code 104.122.

Also on February 7, 2000, petitioner filed a request for expedited decision, which the Board treats as a motion for expedited decision. Petitioner explains that it received a grant from the Illinois Department of Commerce and Community Affairs (DCCA) to spend on a water main expansion project. The grant must be used before March, 2001. Therefore, petitioner argues that failure to receive a variance within 30 days of filing the amended petition would be a severe and undue hardship and place the DCCA grant in jeopardy.

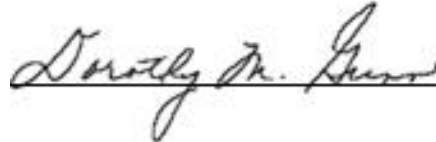
On February 14, 2000, the Environmental Protection Agency filed its recommendation that the Board grant the variance, subject to certain conditions.

The Board grants petitioner's motion for an expedited decision consistent with the Board's resources and decision deadlines.

IT IS SO ORDERED.

Board Member M. McFawn dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of February 2000 by a vote of 5-1.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board