

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1985

THE VILLAGE OF ELK GROVE VILLAGE,)
)
Petitioner,)
)
v.) PCB 84-158
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

OPINION AND ORDER OF THE BOARD (by B. Forcade):

This matter comes to the Board upon a petition for variance filed by The Village of Elk Grove Village ("Elk Grove") on October 30, 1984 and amended November 19, 1984. Elk Grove seeks a variance until January 1, 1986 from Board regulations, at 35 Ill. Adm. Code 604.301(a), which establish radiological quality standards for finished public drinking water supplies. On December 3, 1984 the Illinois Environmental Protection Agency ("Agency") filed a recommendation that variance be granted from Section 604.301(a) until January 1, 1986, subject to certain conditions. No objections were received; no hearing was held.

Elk Grove has a public water supply servicing approximately 30,000 residential users and 2,000 business and industrial users. It distributes about two billion gallons of water a year to its users. The water is withdrawn from twelve deep wells (approximately 1400 feet) and two shallow wells (less than 150 feet). The distribution system includes over 150 miles of mains and 9 reservoirs that hold over 10 million gallons of water (Pet., pp 2-3).

In 1979 and 1980 four individual samples from the Elk Grove distribution system were collected and blended for a composite sample. The composite sample was analyzed by the United States Environmental Protection Agency laboratory with the following results (Rec. ¶ 9):

radium - 226 = 4.4 plus or minus 0.1 pCi/l
radium - 228 = 4.1 plus or minus 1.0 pCi/l
combined radium = 8.5 pCi/l

A maximum allowable concentration of 5 pCi/l radium - 226 and 228 is established by 35 Ill. Adm. Code 604.301(a). Elk Grove was

not informed of the results of this testing until late 1984.

For reasons unrelated to radiological contaminants, Elk Grove has been pursuing a new water transmission line which would bring Lake Michigan water to Elk Grove. Seven local governmental units, including Elk Grove, are investing \$150 million in a water transmission system to serve some 250,000 people in northwest Cook County. This system, when complete, will eliminate the radium and barium problems endemic to wells in that area. Elk Grove's conversion from well water to Lake Michigan water is scheduled for mid to late 1985 (Pet. pp 3-4).

While radiation at any level creates some risk, Elk Grove and the Agency agree that levels under consideration here (8.5 pCi/l) would impose no significant injury upon the public for the variance term requested (Rec., ¶17; Pet., p 5).

The Board finds that immediate compliance with Section 604.301(a) would impose an arbitrary or unreasonable hardship on Elk Grove in view of the minimal expected adverse impact. Consequently the Board will grant variance, with the conditions requested by the Agency, until January 1, 1986. The Board notes that although Elk Grove mentions gross alpha particle activity in its petition, the record before the Board shows Elk Grove to be in compliance with this parameter. Consequently no variance for gross alpha is necessary.

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

ORDER

The Village of Elk Grove Village is hereby granted a variance from the combined radium - 226 and 228 standard of 35 Ill. Adm. Code 604.301(a) for their public water supply subject to the following conditions:

1. This variance shall expire on January 1, 1986.
2. Elk Grove Village shall continue to construct the Lake Michigan water transmission system so it will be fully operational by January 1, 1986.
3. Pursuant to 35 Ill. Adm. Code 606.201, Elk Grove Village shall send to each user of its public water supply a written notice, to the effect that it has been granted a variance from the radium - 226 and radium - 228 standard, in the first set of water bills issued after the grant of this variance and every three months thereafter.
4. Within forty-five days from the date of this Order, Petitioner shall execute and forward to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Accept-

ance and Agreement to be bound to all terms and conditions of this variance. This forty-five day period shall be held in abeyance for any period this matter is being appealed. The form of the certificate shall be as follows:

CERTIFICATE

I, (We), _____, having read the Order of the Illinois Pollution Control Board in PCB 84-158, dated January 10, 1985, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 10th day of January, 1985 by a vote of 5-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board