

ILLINOIS POLLUTION CONTROL BOARD
February 7, 1985

CITY OF BATAVIA,)
)
 Petitioner,)
)
 v.) PCB 85-11
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

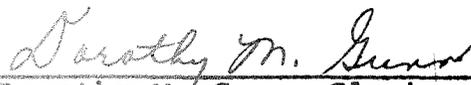
ORDER OF THE BOARD (by J. Anderson):

This petition, filed January 25, 1985, seeks variance from 35 Ill. Adm. Code Section 604.301(b) as it relates to gross alpha particle activity levels in the City's finished drinking water. This petition is deficient in that, while it alleges in conclusory fashion that denial of variance and requirement of immediate compliance would result in "very grave economic circumstances", and "substantial expenditures [which the City] cannot afford" (see Par. 23-25), no data is supplied to support the conclusions (e.g. projected construction costs, information concerning the City's budget and bonding ability as it relates to this and other "infrastructure problems", current water use rates, economic impacts due to inability to expand water service, and similar information which would allow the Board to assess the validity of the City's economic hardship claim).

If an amended petition curing these deficiencies is not filed within 30 days of the date of this Order, this petition will be subject to dismissal.

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 7th day of February, 1985 by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board