

ILLINOIS POLLUTION CONTROL BOARD
November 21, 1984

IN THE MATTER OF:)
)
PETITION OF CITY OF ROCK) R84-18
ISLAND FOR A SITE-SPECIFIC)
EXEMPTION FROM 35 ILL. ADM.)
CODE 304.106 FOR SLUDGE DISCHARGE)
TO THE MISSISSIPPI RIVER)

ORDER OF THE BOARD (by B. Forcade):

On August 8, 1984, a merit hearing was held concerning the above captioned matter. The Petitioner, Rock Island, subsequently filed an evidentiary exhibit not previously in the Board's possession in addition to a supplemental filing in support of their petition. The record was closed on October 26, 1984 by a hearing officer order dated September 26, 1984.

At hearing, it was requested that Petitioner address critical deficiencies in their petition, as well as to expand and clarify the proposed relief requested. Rock Island's supplemental filing on October 21, 1984, was partially responsive to these requests. However, there are still serious deficiencies in the record, as well as in Rock Island's proposal itself, that makes it impossible for the Board to proceed to decision.

Rock Island's proposal is far too vague for the Board to act on. Rock Island has failed to specify where the discharge point will be. At hearing, Rock Island's principal witness stated that they had not decided yet whether the discharge point would be "in the Sylvan Slough area" or at some unspecified site on the main Mississippi River flow stream (R. 27). The Board cannot begin to assess the environmental impact on the receiving waters from such a vague and unspecific proposal. Furthermore, Rock Island has yet to provide any information on the environmental impact of their proposal, despite requests from both the Illinois Environmental Protection Agency and the Board. While Rock Island has provided some additional information on the biology of the receiving waters there is absolutely no analysis of predicted impact, or the cumulative effect of the proposed discharge in combination with existing discharges in the area.

The Board, therefore, on its own motion will dismiss this matter. Rock Island is free to refile a new proposal when they have decided what exactly they wish to do and when they have adequately evaluated the environmental impact of the proposed action.

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 November, 1984 by a vote of 5-0.

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