

ILLINOIS POLLUTION CONTROL BOARD
December 2, 1982

IN THE MATTER OF:)
)
AMENDMENTS TO TITLE 35:)
ENVIRONMENTAL PROTECTION;) R82-25
SUBTITLE C: WATER POLLUTION;)
CHAPTER I: POLLUTION CONTROL BOARD;)
PART 304; SUBPART B (DEAN FOODS/)
CHEMUNG SITE-SPECIFIC RULES))

ORDER OF THE BOARD (by J.D. Dumelle):

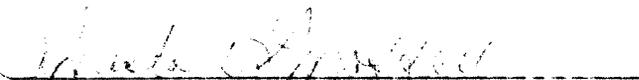
This matter comes before the Board upon an October 28, 1982 amendment to Dean Foods' September 14, 1982 petition for site-specific regulatory change which was filed in response to the Board's October 14, 1982 Order in this matter. The amendment points out that the relief requested regarding the discharge sampling point is the same relief requested in Dean Food's pending NPDES permit appeal in PCB 81-151. Thus, this portion of the regulatory proceeding may be mooted in the near future.

While relief from the suspended solids limitation of Section 304.120 would be unaffected by that appeal, the Board finds that the authorization of hearings at this time could lead to duplicative and wasteful proceedings. Further, the hearing officer for PCB 81-151 has indicated his intention to expedite the permit appeal and at a later date, if regulatory relief remains necessary, it may well be appropriate to incorporate that record into this proceeding.

For those reasons the Board will not authorize hearings in this matter at this time.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 2nd day of December, 1982 by a vote of 9-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board