

ILLINOIS POLLUTION CONTROL BOARD
FEBRUARY 22, 1984

THE METROPOLITAN SANITARY DISTRICT)
OF GREATER CHICAGO,)
)
Petitioner,)
)
v.) PCB 84-20
)
THE ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

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

This matter comes before the Board upon a February 19, 1984 petition for variance filed on behalf of the Metropolitan Sanitary District of Greater Chicago (MSD). While the MSD waives hearing, the Board on its own motion orders that a hearing be held.

The Board notes that the petition fails to indicate any plan for ultimate compliance with the rules from which variance is requested, the discharge levels, present water quality data, and an assessment of environmental impact. The Board expects that this information will be forthcoming at hearing.

The Board further notes that the MSD "refers to this Board's opinion under R77-12 in Docket D and to the record therein." This appears to be an attempt to incorporate that record into this proceeding by reference which under normal circumstances would be permitted as a matter of course. However, R77-12(D) is presently on appeal to the Illinois Supreme Court and the record has been sent there such that the Board no longer has that record in its possession. Therefore, any materials or documents which the MSD desires to have admitted into this record should be introduced as exhibits at hearing.

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 22nd day of February, 1984 by a vote of 7-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board