

ILLINOIS POLLUTION CONTROL BOARD
February 26, 1976

VILLAGE OF ORANGEVILLE,)
)
 Petitioner,)
)
 v.) PCB 76-49
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Zeitlin):

The Petition for Variance filed February 23, 1976, by the Village of Orangeville is inadequate, and must be dismissed.

First, the Petition fails to conform to Rule 401 of the Board's Procedural Rules, PCB Regs., Ch. 1, Rule 401, in that,

a. the Petition fails to show which Rule or Rules of the Board's Regulations would apply to the public water supply system in question;

b. the Petition fails to show the costs of compliance with the Rule or Rules from which a Variance is sought;

c. the hardship(s) which either compliance or non-compliance would work upon Petitioner or the affected public water supply system users.

The above listing with regard to Rule 401 is only partial, and addresses the more serious deficiencies of the Petition. The Village of Orangeville is referred to Rule 401 for consideration of other deficiencies in its Petition.

Second, the Petition wholly fails to detail any plan for compliance with the Board's Regulations on chlorination of public water supply systems. The Petition recites the Village's intent to avoid compliance at all, if possible. Petitioner is referred to the Board's Opinion on the matter for guidance, and is cautioned that a plan for compliance with the applicable Rules is a necessary part of any Variance Petition. See, In the Matter of Public Water Supplies, R 73-13 (January 3, 1975), Opinion at pages 36-38.

These inadequacies are such that the Petition must be dismissed, without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 26th day of February, 1976, by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board