

ILLINOIS POLLUTION CONTROL BOARD  
March 17, 1977

CITY OF VANDALIA, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 76-314  
 )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

OPINION AND ORDER OF THE BOARD (by Dr. Satchell):

On December 9, 1976 the City of Vandalia filed a petition for variance from Rule 203(h) of Chapter 3: Water Pollution Regulations to treat Lake Vandalia with rotenone. On February 3, 1977 pursuant to a Board Order of January 6, 1977 Petitioner filed more information by incorporating the proceeding of PCB 76-25. In the earlier case the Board granted the City a variance to apply rotenone to Lake Vandalia to reduce the population of stunted carp for fish management purposes. Because of weather conditions during 1976 Petitioner never had an opportunity to apply the rotenone. Petitioner is now seeking a variance for the same purposes, under the same conditions as in PCB 76-25. The Agency recommendation filed on March 10, 1977 recommends the granting of the variance subject to the same terms as recommended in PCB 76-25. Identical quantities of rotenone are to be used and the Department of Conservation will be involved in the application.

Because of the desirable fisheries management goal and the same existing situation the Board will grant City of Vandalia a variance subject to the same conditions as were applicable to PCB 76-25.


This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

It is the order of the Pollution Control Board that City of Vandalia is hereby granted a variance from Rule 203(h)

of Chapter 3: Water Pollution Regulations in order to treat Lake Vandalia with rotenone three times in 1977 over the spring and summer months subject to the conditions as set out in the opinion of PCB 76-25 (May 20, 1976).

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 17<sup>th</sup> day of March, 1977 by a vote of 4-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board