

ILLINOIS POLLUTION CONTROL BOARD
July 18, 1972

BARTLOW BROTHERS, INC.)
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 v.) #72-222
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 ENVIRONMENTAL PROTECTION AGENCY)

Preliminary Opinion & Order of the Board (by Mr. Currie):

This petition requested an extension of the July 1, 1972 deadline for disinfection of effluent from the company's meat packing plant lagoon system at Rushville on the ground that discharge of that effluent to the municipal treatment facilities would be accomplished "in July 1972." The implication being that it would be a gross waste of money to require installation of chlorination facilities for a few days of service, we scheduled no hearing but held the case pending the Agency's recommendation.

The Agency's recommendation, however, alleges completion of the present expansion of the City plant will not make room for the company's wastes because there will still be insufficient capacity. If this is so, then what appeared to be an obvious grant becomes quite a different case indeed, for we are left with no indication as to when, if ever, compliance would be achieved if the petition were granted.

The Agency's position that it will not permit the company to connect to the City system upon completion of the present construction undermines the entire basis of the petition for variance. We think the company will want the opportunity to reassess its situation in light of the recommendation. We therefore shall allow until August 1, 1972 for the submission of a revised petition setting forth the company's current program for compliance with the disinfection requirement in the shortest practicable time. We call the company's attention, as the Agency has done, to the procedural rules of this Board in respect to the required contents of a variance petition. In the meantime we shall withhold action on the original petition.

It is so ordered.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Preliminary Opinion & Order this 18th day of July, 1972, by a vote of 5-0.


Christan S. Moffett