



state that final work on the tank superstructure is expected to be completed by September 11, 1973 and this will bring the system into compliance with the Board order in PCB 72-137.

While a great deal of mention has been made of the Board "order" in PCB 72-137 the fact is that no Board "ban" exists on connections to the water system. The opinion in PCB 72-137 points out that additional connections would cause violations of the regulations on water quality and quantity. This the Agency is not to allow and thus the present status can be interpreted as a potential violation from which the Board by granting a variance can give a shield from prosecution.

Since Mr. Chaps' building is for resale it is quite possible that it will not be occupied between the date of our order (August 23, 1973) and the date of the system completion (September 11, 1973). In any event, we grant the variance from the Water Supply Regulations to connect to the water system.

Mr. Odell abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion was adopted on the 6<sup>th</sup> day of September, 1973 by a vote of 3-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board