

ILLINOIS POLLUTION CONTROL BOARD
August 9, 1973

DANVILLE METAL STAMPING COMPANY)
)
)
 v.) PCB 73-250
)
)
 ENVIRONMENTAL PROTECTION AGENCY)
)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

Petition for extension of the variance granted in PCB 72-228 to deposit refuse in standing water was filed June 18, 1973. The Agency recommendation filed July 23, 1973 recommends a grant of the variance subject to certain conditions.

The Board on July 19, 1973 adopted R72-5, Solid Waste Regulations Chapter 7. On July 31, 1973 the opinion in R72-5 was adopted. Rule 102 of these regulations repealed the old rules of March 22, 1966 including Rule 5.12(c) which contained the flat prohibition against depositing refuse in standing water.

The new regulations contain no such prohibition. The new Rule 315 gives the Agency power to protect the waters of the State against landfill-caused pollution. Thus the issue is now moot and the variance is dismissed without prejudice. The petitioner is advised to seek an Agency permit under the new Solid Waste Regulations.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 9th day of August, 1973 by a vote of 5 0.

Christan L. Moffett, Clerk
Illinois Pollution Control Board