

ILLINOIS POLLUTION CONTROL BOARD
March 14, 1972

LAESCH DAIRY CO.)
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 v.) # PCB 72-93
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 ENVIRONMENTAL PROTECTION AGENCY)

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

Laesch asks additional time to comply with the effluent standards applicable to its oxygen-demanding wastes. We call attention to the fact that the regulations, particularly with regard to dates for compliance, have been amended since preparation of the petition, and ask the company to reassess its situation in light of the new regulations. We note that the date for treatment beyond the level of 20 mg/l BOD and 25 mg/l suspended solids has been altered, but not the date for achieving those levels. In any event, the petition is insufficient on an entirely separate ground. The petition contains no firm program for achieving compliance. The possibility of connecting to a municipal treatment system is discussed, but no firm date is set. We cannot grant a variance of this sort without a firm program. York Center v. EPA, # 72-7 (Jan. 17, 1972). The petition is therefore dismissed without prejudice to the filing of an amended petition, if necessary under the revised regulations, setting forth an acceptable control program.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 14 th. day of March, 1972, by a vote of 4-0.

