

ILLINOIS POLLUTION CONTROL BOARD
May 19, 1988

VILLAGE OF ROMEOVILLE,)
)
 Petitioner,)
)
 v.) PCB 87-69
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by R. C. Flemal):

Petitioner, the Village of Romeoville, is hereby granted variance from 35 Ill. Adm. Code 602.105(a), Standards of Issuance, and 602.106(b), Restricted Status, but only as they relate to 35 Ill. Adm. Code 604.301(a), combined radium -226 and radium -228, subject to the following conditions:

- (A) This variance expires nine months from grant of this variance of when analysis pursuant to 35 Ill. Adm. Code 605.104(a) shows compliance with the standard for the contaminant in question, whichever occurs first.
- (B) In consultation with the Agency, Petitioner shall continue its sampling program to determine as accurately as possible the level of radioactivity in its wells and finished water. Until this variance expires, Petitioner, shall collect quarterly samples of its water from its distribution system, shall composite and shall analyze them annually by a laboratory certified by the State of Illinois for radiological analysis so as to determine the concentration of the contaminant in question. The results of the analyses shall be reported to the Compliance Assurance Section, Division of Public Water Supplies, 2200 Churchill Road, IEPA, Springfield, Illinois 62794-9276, within 30 days of receipt of each analysis. At the option of Petitioner, the quarterly samples may be analyzed when collected. The running average of the most recent four quarterly sample results shall be reported to the above address within 30 days of receipt of the most recent quarterly sample.
- (C) Petitioner shall take additional water samples from its distribution system within one block of deep Well No. 4 whenever it is used for more than three consecutive days. All analysis reports of the concentration of combined radium -226 and -228 shall be sent to CAS,

Division of Public Water Supplies. IEPA within 14 days of receipt and shall indicate they were taken pursuant to this condition of the variance.

- (D) Petitioner shall keep records of the days Well No. 4 is used and quantity of water pumped and provide copies to the Agency upon request.
- (E) Petitioner shall not use Well No. 4 except for emergencies, such as for fighting a fire or because of mechanical failure of other wells, and only then to the extent water delivered to the distribution system shall not cause a violation of 35 Ill. Adm. Code 604.301(a) on an annual average basis as determined pursuant to 35 Ill. Adm. Code 605.105(a).
- (F) If deep Well No. 4 is used for any reason to provide water to the distribution system during the term of the variance, Petitioner shall report in writing said use and the quantity of water pumped to CAS Division of Public Water Supplies, IEPA within 14 days of each of said uses.
- (G) Petitioner shall initiate design of a replacement source of water or treatment for Well No. 4 within three months of the first time water from Well No. 4 is added to Petitioner's distribution system during the term of this variance. Said design shall be completed within an additional six months. Petitioner shall submit an application for a construction permit for said replacement source or treatment within one month of completion of said design.
- (H) If four consecutive quarterly samples that are taken within one block of Well No. 4 show that 35 Ill. Adm. Code 604.301(a) has been violated, Petitioner shall within three months of that showing advertise for bids and proceed with construction for said replacement source or treatment of Well No. 4. Construction shall be completed within an additional six months.
- (I) Petitioner shall comply all of the publication notification requirements of 35 Ill. Adm. Code Part 605 Subpart B.
- (J) The Petitioner shall continue to have professional assistance (either from present staff or an outside consultant) in investigating compliance options, including the possibility and feasibility of achieving compliance by blending water from its shallow well(s) with that of its deep well(s).

- (K) Pursuant to 35 Ill. Adm. Code 606.201, in its first set of water bills or within three months after the date of this Variance Order, whichever occurs first, and every three months thereafter, Petitioner will send to each user of its public water supply a written notice to the effect that Petitioner has been granted by the Pollution Control Board a variance from 35 Ill. Adm. Code 602.105(a) Standards of Issuance and 35 Ill. Adm. Code 602.106(b) Restricted Status, as it relates to the MAC standard in question on an annual basis.

- (L) Pursuant to 35 Ill. Adm. Code 606.201, in its first set of water bills or within three months after the date of this Order, whichever occurs first, and every three months thereafter, Petitioner will send to each user of its public water supply a written notice to the effect that Petitioner is not in compliance with the standard in question on an annual basis. The notice shall state the average content of the contaminant in question in samples taken since the last notice period during which samples were taken.

- (M) Within 45 days of the date of this Order, Petitioner shall execute and forward to Wayne L. Wiemerslage, Enforcement Programs, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62794-9276, a Certification of Acceptance and Agreement to be bound to all terms and conditions of this variance. The 45-day period shall be held in abeyance during any period that this matter is being appealed. Failure to execute and forward the Certificate within 45 days renders this variance void and of no force and effect as a shield against enforcement of rules from which variance was granted. The form of said Certification shall be as follows:

CERTIFICATION

I (We), _____, hereby accept and agree to be bound by all terms and conditions of the Order of the Pollution Control Board in PCB 87-69, May 19, 1988.

Petitioner

Authorized Agent

Title

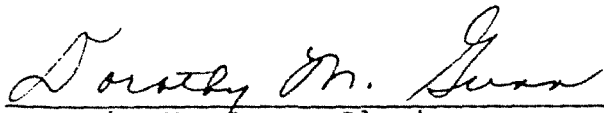
Date

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111 1/2 par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

Board Member Bill Forcade dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 19~~th~~ day of May, 1988, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board