

ILLINOIS POLLUTION CONTROL BOARD
May 1, 2014

SANITARY DISTRICT OF DECATUR,)	
)	
Petitioner,)	
)	
v.)	PCB 14-111
)	(Variance – Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by D. Glosser):

On February 21, 2014, the Sanitary District of Decatur (District) filed a petition to extend a 2010 variance from water quality standards that establish water quality based effluent limits for nickel. *See* 35 Ill. Adm. Code 302.208(e) and 304.105. On April 7, 2014, the Illinois Environmental Protection Agency (IEPA) filed its recommendation, recommending that the variance be denied. On April 21, 2014, the District filed a motion to stay the proceedings along with a waiver of the decision deadline.

In the motion to stay, the District indicates that it met with IEPA to discuss the pending request for variance extension, as well as issues associated with the recent federal directive regarding “consistency with federal law” for water variances. Mot. at 3. The District further states:

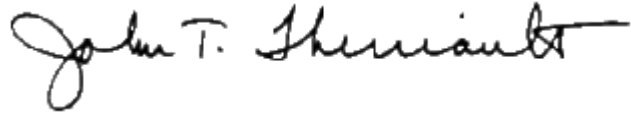
The additional time sought by this Motion to Stay the Proceeding will allow the District to continue its investigation and development of a site-specific water quality standard proposal. Specifically, the District is in need of additional time to respond to questions from the United States Environmental Protection Agency (“USEPA”) related to the District’s proposed use of the Biotic Ligand Model (“BLM”) to support a site-specific standard petition. *Id.*

The District asks that the proceeding be stayed until December 31, 2014, and the District will file a status report on October 1, 2014.

The Board will grant the motion to stay, but only until October 1, 2014, as the District provided a waiver of the decision deadline only until December 31, 2014. The Board will not stay the proceeding until the decision deadline. On October 1, 2014, the District and IEPA must file a status report with the Board indicating how the case should proceed and at that time, if a proper waiver is filed, an additional stay will be considered.

IT IS SO ORDERED.

I, John Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 1, 2014, by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

John Therriault, Clerk
Illinois Pollution Control Board