ILLINOIS POLLUTION CONTROL BOARD
April 25, 1974

VILLAGE OF BRADLEY   )
)
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)
)
        v.   )   PCB 73-529
)
)
ENVIRONMENTAL PROTECTION AGENCY   )
)

MR. RICHARD L. ACKMAN, appeared on behalf of the Village of
    Bradley
MR. JOHN T. BERNBOM, appeared on behalf of the Environmental
    Protection Agency

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

     The Village of Bradley (Bradley) filed a Variance Petition
on December 10, 1974. The Agency filed a Recommendation on
January 14, 1974. A hearing was held on January 28, 1974.
On March 6, 1974, Bradley, through its Attorney of Record Waived
the 90-day decision period in order to allow Bradley time to
file an Amended Variance Petition. On March 26, 1974 Bradley
filed an Amended Variance Petition and on April 17, 1974 filed
a Supplemental Statement.

     Bradley seeks a variance from Rule 921(a) of the Water
Pollution Rules, to allow additional sanitary sewer extensions
tributary to Bradley's sewage treatment plant. These extensions
would serve one hundred twenty-five single family residences and
a 62-room Holiday Inn expansion. The Agency recommended denial
unless Bradley could show that the additional connections would
not cause a violation of the Act or applicable regulation. The
Board has previously granted Bradley a variance to allow the
connection of an automobile agency and a shopping center but has
denied without prejudice a request to allow the connection of 500-
single family residences and the Holiday Inn expansion (Village of
Bradley v. EPA, PCB 73-142 (June 28, 1973)). Since the last
variance request, Bradley has instituted the use of chemicals to
improve the sewage treatment plant performance (R. 67). Following
the instigation of chemical addition (ferric chloride and polyelectro-
lyte Bradley's suspended solid concentration in its effluent has
decreased markedly (Exhibit B, Amended Variance Petition). Bradley's
effluent apparently ranges between 9-18 mg/1 BOD_5 and 8-25 mg/1
suspended solids. Therefore Bradley's discharge is currently in comp-
liance with applicable standards for discharges into the Kankakee
River (Water Pollution Rule 404(b)).

Bradley's variance petition was premised on plans to expand the existing sewage treatment plant. However, Bradley presented information at the hearing that they were proceeding to enter into a contract with Kankakee which would result in the diversion of sewage to the City of Kankakee's Sewage Treatment Plant. The City of Kankakee has the available capacity at its sewage treatment plant to treat all of the Village of Bradley's flow (R. 47). Bradley will divert up to 3 million gallons per day of flow to the City of Kankakee's Treatment Plant. This diversion coupled with the use of chemicals at the existing treatment plants should reduce incidents of violation caused by excessive suspended solids in Bradley's discharge to the Kankakee River (R. 93).

The Supplemental Statement filed by Bradley states that the contract between the City of Kankakee and Bradley was executed on April 10, 1974. Because Bradley is proceeding in a manner which will alleviate excessive suspended solids discharges and other violations and has instituted remedial methods of abating the discharge of suspended solids in excess of applicable regulations, the Board has decided to grant the requested variance.
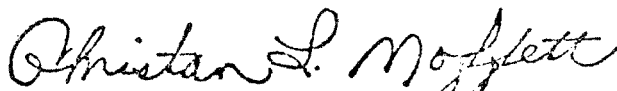
This Opinion constitutes the Board's findings of facts and conclusions of law.

ORDER

The Village of Bradley is hereby granted a variance from Rule 921(a) of the Water Pollution Rules in order to allow the construction of sanitary sewer extensions to service 125 single family residences and a 62-room Holiday Inn expansion subject to the conditions that the diversion of the portion of Bradley's waste be completed prior to July 25, 1974 and that Bradley continue the use of chemical addition until actual diversion occurs.

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 __25th__ day of April, 1974 by a vote of ___5-0___.

Christan L. Moffett, Clerk
Illinois Pollution Control Board