

ILLINOIS POLLUTION CONTROL BOARD  
September 19, 1974

TOTS & TODDLERS DAY CARE )  
CENTER, INC. )  
v. ) PCB 74-294  
ENVIRONMENTAL PROTECTION AGENCY )

OPINION OF THE BOARD (by Mr. Dumelle)

The Environmental Protection Agency filed a Motion to Dismiss on Sept. 13, 1974 stating that the plumbing modifications planned would not add in excess of 15 P.E. but would only add 7 P.E. and thus no Agency permits would be required.

We do not agree with the Agency's reasoning on P.E. loading alone since to do so would negate all sewer bans. Most single family homes have P.E.'s of 4-6 and would then be permitted to connect were this sole criterion to be followed.

The petitioner's statement shows that 35 children will be accommodated but 34 of these are in diapers. Thus the additional waste load is de minimus and we approve the dismissal motion for that reason.

The case is dismissed without prejudice as de minimus.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion of the Board was adopted on this 5-0 1974 day of September, 1974 by a vote of

Christan L. Moffett