## ILLINOIS POLLUTION CONTROL BOARD October 2, 1980

VILLAGE	OF ROCKDALE,	)		
	Petitioner,	)		
	v.	)	PCB	80-72
ILLINOIS AGENCY,	ENVIRONMENTAL PROTECTION	) ) )		
	Respondent.	)		

MR. JAMES E. BABCOCK, ROBSON, MASTERS, RYAN, BRUMUND & BELOM APPEARED ON BEHALF OF PETITIONER.

MR. DONALD L. GIMBEL APPEARED ON BEHALF OF THE RESPONDENT.

OPINION AND ORDER OF THE BOARD (by I. Goodman):

On April 11, 1980 the Village of Rockdale (Rockdale) filed this petition for variance from Rule 962(a) of Chapter 3 of the Board's regulations in order to allow construction and operation of a sewer extension that would service a certain area within the Village. Hearing was held in this matter on June 27, 1980. The Board has received no public comment.

Rockdale's sewage treatment plant is currently on restricted status due to hydraulic overload and frequent violations by Rockdale of suspended solids and BOD, limitations. The area in question here is Davis Street between Lakeview Avenue and Bellview Avenue in Rockdale. The area is presently served by an old sewer line which is in very poor condition and subject to large amounts Rockdale proposes to build a new of inflow and infiltration. sewer line which will service buildings currently discharging into the old existing sewer line as well as a certain number of residential dwellings and an auto body shop which presently discharge to septic systems. The septic systems appear to be a health hazard due to periodic discharge from the ground which flows downhill to a church parking lot and then into a storm sewer inlet. Upon completion of the proposed sewer extension, the old sewer line and septic systems would be abandoned.

In its recommendation, the Illinois Environmental Protection Agency (Agency) states that it agrees with Rockdale's proposal and suggests that variance be granted notwithstanding Rockdale's restricted status. It is the Agency's opinion that the health hazard caused by seepage from the septic systems outweighs the minor adverse affects upon the Rockdale sewage treatment plant due to the additional load. The Board agrees with the Agency

recommendation. We have in the past granted variance primarily based upon health hazards posed by ineffective septic systems. In this case an additional benefit will be gained by replacing an old sewer system apparently subject to heavy infiltration and inflow with a new system not so burdened. The Board shall therefore grant variance to the Village of Rockdale from Rule 962(a) of Chapter 3 for the proposed new sewer extension under certain conditions.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

The Village of Rockdale is hereby granted variance from Rule 962(a) of Chapter 3: Water Pollution Control Rules and Regulations to allow construction of a sewer connection along Davis Avenue between Lakeview Avenue and Bellview Avenue within the Village of Rockton subject to the following conditions:

- Connections to the new sewer extension shall be limited to existing structures located on either side of Davis Street between Lakeview Avenue and Bellview Avenue.
- The Village of Rockdale shall obtain a permit for the construction and operation of the sewer extension from the Illinois Environmental Protection Agency.
- c. Within 45 days of the date of this Order, the Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Variance Unit, 2200 Churchill Road, Springfield, IL 62706, an executed Certification of acceptance and agreement to be bound by all conditions of the variance, This forty-five day period shall be stayed if Petitioner seeks judicial review of this variance pursuant to Section 41 of the Environmental Protection Act. The form of said certification shall be as follows: Time tour of Sall Tree tour of Sall Several of the service of the

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IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the day of of the line of 1980 by a vote of 5.0.

Christan L. Moffett, Clerk

Illinois Pollution Control Board