

ILLINOIS POLLUTION CONTROL BOARD  
August 5, 1971

FRANCIS J. AND MARGARET J. DUPRE )  
 )  
 )  
 v. )  
 )  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

# 71-194

Concurring Opinion (by Mr. Currie):

I agree that this variance should be granted because the hardship to the petitioners appears great in light of the fact, as pointed out in the motion argued before us today in #71-28, EPA v. Danville Sanitary District, that the District has brought its plant effluent into substantial compliance with our earlier order. The order required reduction of BOD (earlier averaging 92 mg/l) to 20 and suspended solids (earlier 151) to 50, as the District estimated would be feasible in the time allotted. In fact the suspended solids reduction is considerably better than anticipated (a recent monthly average of 27), and BOD is in the anticipated ballpark (26). While the District must work for further BOD reductions to achieve full compliance, the discrepancy is not great enough to forbid the connection of a new house whose construction had begun before the sewer ban was imposed.

