

ILLINOIS POLLUTION CONTROL BOARD
August 30, 1971

LaSALLE NATIONAL BANK OF CHICAGO,)
not individually but as Trustee)
under Trust Number 39311)
)
)
v.)
)
)
ENVIRONMENTAL PROTECTION AGENCY)

PCB 71-164

Opinion and Order of the Board (by Mr. Currie):

The LaSalle National Bank, as Trustee under Trust Number 39311 and representing the developer of the Vermilion Garden Apartments in Danville, Illinois, ("petitioner") petitioned the Board on June 25, 1971, for "a variance from the denial of an application for a permit to use the sewer facilities of the Danville Sanitary District." The denial had been issued by the Environmental Protection Agency on December 8, 1970.

On May 26, 1971, the Board had ordered the District to make no new sewer connections to increase the load on its treatment facilities until the monthly average BOD effluent concentration had been reduced to 20 mg/l and the suspended solids concentration had been reduced to 50 mg/l (EPA v. Danville Sanitary District, PCB 71-28). The petitioner's request related to both the original denial by the Agency of its application to hook onto the facilities of the Danville Sanitary District and to our order of May 26, 1971.

On August 13, 1971, the Board adopted a second supplemental opinion and order in the Danville Sanitary District case in which the previously imposed ban on further sewer connections in the District was modified to permit additional connections not to exceed 1500 P.E. in the coming year provided that further connections are to cease if effluent levels are exceeded, specifically if the monthly average BOD exceeds 30 mg/l or if suspended solids exceeds 25 mg/l.

The questions raised by the petitioner's request of June 25, 1971, for a variance have now been rendered moot by the Board's decision of August 13, 1971 in PCB 71-28 and, accordingly, we order said petition dismissed forthwith.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 30th day of August, 1971.

