

Illinois Pollution Control Board
June 3, 1971

ENVIRONMENTAL PROTECTION AGENCY)

v.)

PCB #71-28)

DANVILLE SANITARY DISTRICT)

Dissenting Opinion by Samuel R. Aldrich, Member of the Board

I concur with the majority opinion and order with the exception of point Number 2 in the order which bans sewer connections until the discharge is reduced to 20 mg/l BOD and 25 mg/l suspended solids.

I do not disagree with banning additional sewer connections in all cases. Rather, I feel that the Board should consider the specific circumstances of present use and quality of the receiving water, the quantity and nature of the discharge above standards, and, if possible to ascertain, the likely effect of a ban on accelerating the completion date of needed improvements.

When the pollution involves a hazardous material, may have an irreversible effect, interferes with extensive recreational use such as the beach areas of Lake Michigan, a sewer ban is justified.

In the Danville case, the inconvenience to citizens who cannot connect sewers from new homes is, in my judgement, greater than the undesirable impact on the Vermilion River and on those who desire to use it for recreational purposes. The Danville Sanitary District is proceeding in good faith and expeditiously to correct the violations of the applicable regulations. It may well be that improvements have already been made so that no sewer connections need in fact to be banned. If so, the order is moot and this dissent is only a matter of expressing a view on a principle.

I concur

Samuel R. Aldrich

I dissent

I, Regina E. Ryan, Clerk of the Illinois Pollution Control Board certify that Dr. Samuel R. Aldrich submitted the above opinion on 8 day of June, 1971.

Regina E. Ryan

Regina E. Ryan
Clerk, Illinois Pollution Control Board