

ILLINOIS POLLUTION CONTROL BOARD
October 18, 1971

SANITARY DISTRICT OF DURAND)
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)
 v.) # 71-317
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 ENVIRONMENTAL PROTECTION AGENCY)

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

The Sanitary District asks that we extend its July, 1972 deadline for improved sewage treatment works so as to allow engineering to begin after the Board has completed its review of water pollution regulations in #R 71-14, and to defer construction thereafter until "assurance of Federal and State financial assistance." The petition falls short in several respects of conforming with the requirements of our procedural rules, but the governing consideration is that the petition does not state a case which, if proved, would support the grant of a variance.

Neither the pendency of our rule-making proceeding nor the uncertainty of outside financial help is an excuse for postponing compliance. Outside help is all very well, but the obligation to treat its sewage is that of the Sanitary District and is not dependent upon outside funds. And, as we said in Chicago-Dubuque Foundry Corp. v. EPA, # 71-130 (June 28, 1971), "the petitioner's case is based upon the wholly unacceptable premise that all progress toward reducing pollution must come to a screeching halt whenever any government attempts to reassess the adequacy of the present standards." Moreover, there is very little likelihood that the pending proceedings will result in a relaxation of the treatment requirements applicable to the petitioner or render anything it does in compliance with the present regulations obsolete. The present requirement has been on the books for several years, and it is high time it was complied with.

The petition was therefore dismissed by the Board October 14, and this opinion gives the reasons for that action.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 18 day of October, 1971.

