

ILLINOIS POLLUTION CONTROL BOARD
May 18, 1984

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 83-40
)
OAKBROOK UTILITY COMPANY, INC.,)
an Illinois corporation,)
)
Respondent.)

ORDER OF THE BOARD (by W. J. Nega):

On April 27, 1984, the Respondent filed a Petition to Modify the Board's Order of March 21, 1984 in PCB 83-40. The Respondent has requested that the Board extend the timetable for compliance which was originally agreed to by the parties in their Stipulation to allow the Respondent additional time to investigate the feasibility of establishing a homeowners' association to own, operate, and control its sewer system and to provide extra time in which to submit the necessary engineering plans and specifications for the proposed connection of the sewer system to the City of Carlinville's wastewater treatment plant.

On May 5, 1984, the Illinois Environmental Protection Agency (Agency) filed its Response to the Modification Petition which indicated that "the modifications suggested by Respondent are acceptable to the Agency".

The Respondent's motion for modification is hereby granted. Accordingly, the Board will modify its Order of March 21, 1984 by adding items 5, 6, 7, and 8 to page five et seq. of that Order as follows:

5. Paragraph B(1) of the Stipulation and Proposal for Settlement filed on September 9, 1983 which is incorporated in this Order shall be modified to read as follows:

The Respondent and any homeowners' association formed by the residents of the Oakbrook 5th and 6th Additions shall develop a proposal by September 1, 1984 for the connection of the sewer system serving the Oakbrook 5th and 6th Additions to the City of Carlinville's wastewater treatment plant and submit a construction/operation permit application, with the appropriate engineering plans and specifications, to the Agency. The Respondent shall include a description of its plan for the disposition of the

existing lagoon system as part of its construction/operation permit application to the Agency. If this lagoon system is to be abandoned, the plan shall describe the processes to be used in draining the lagoons, stabilizing the bottoms, disposing of sludge, and grading.

6. Paragraph B(3) of the Stipulation and Proposal for Settlement filed on September 9, 1983 which is incorporated in this Order shall be modified to read as follows:

The Respondent shall complete construction as expeditiously as possible, but no later than September 1, 1985. The Respondent shall provide optimum operation and maintenance of the lagoon system until the connection to the City of Carlinville's wastewater treatment plant is made.

7. Paragraph B(4) of the Stipulation and Proposal for Settlement filed on September 9, 1983 which is incorporated in this Order shall be modified to read as follows:

Operation of the connection to the City of Carlinville's wastewater treatment plant shall commence no later than October 1, 1985.

8. If a change in the ownership of the Oakbrook Utility from its present owners to a homeowners' association is arranged, the transfer should acknowledge the responsibility of the homeowners' association to carry out the provisions of the Board's March 21, 1983 Order in PCB 83-40, as modified by the addition of items 5, 6, 7, and 8 on page five et seq. of the Order and the compliance plan set forth in the Stipulation and Proposal for Settlement filed on September 9, 1983 and any Board-approved modifications thereof.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 18th day of May, 1984 by a vote of 6-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board