

ILLINOIS POLLUTION CONTROL BOARD
August 22, 1984

VILLAGE OF ENERGY AND)
WILLIAMSON COUNTY HOUSING)
AUTHORITY)
)
Petitioners,)
)
v.) PCB 84-123
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Anderson):

As a threshold matter, the Board hereby joins the Housing Authority as a necessary party petitioner. This variance petition, filed August 10, 1984, fails to contain information necessary for the Board's consideration. First, pursuant to 35 Ill. Adm. Code 104.124, hearing must either be requested or waived (and if waived, an affidavit attesting to the truth of the facts asserted must be filed). Secondly, the petition is insufficiently detailed in certain respects. Paragraph K asserts that the Housing Authority was not aware of restricted status prior to site acquisition, etc. but does not give any facts to support the conclusion, such as when the project commenced, etc. No facts are given to support the conclusion that housing for the elderly is needed in Energy. The petition should also have explained, with cost estimates, whether there are feasible interim options, such as use of holding tanks, as an alternative to connection to Energy's sewer system prior to rehabilitation of the treatment plant.

Concerning the sewers and treatment plant, the petition often refers to Energy's facilities plan. As the Board does not have this document, any relevant portions should be provided to the Board. The petition should also be more specific concerning Energy's chances to receive grant funding, and how and when it will proceed with rehabilitation if grant funding is not available. Finally, the petition should have included information on the present loading of the treatment plant, and the levels of BOD and TSS in the plant's treated effluent discharge.

If an amended petition curing these deficiencies is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 22nd day of August, 1984 by a vote of 6-6.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board