

ILLINOIS POLLUTION CONTROL BOARD
April 1, 1982

RIVER OAKS MOBILE HOME PARK,)
)
 Petitioner,)
)
 v.) PCB 82-37
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by J.D. Dumelle):

On March 31, 1982 the Illinois Environmental Protection Agency (Agency) filed a recommendation that River Oaks Mobile Home Park (River Oaks) be granted a provisional variance from Rule 404(a) of Chapter 3: Water Pollution, as it regards biochemical oxygen demand and suspended solids. The Agency has concluded that short-term compliance with these limitations would impose an arbitrary and unreasonable hardship on River Oaks, and that a failure to grant the requested provisional variance may, in fact, cause greater environmental harm than if it is granted. Therefore, pursuant to Section 35(b) of the Environmental Protection Act the Board will grant this provisional variance.

ORDER

The Board hereby grants a variance to River Oaks Mobile Home Park from the Rule 404(a) limitations for BOD₅ and suspended solids until May 7, 1982 subject to the following conditions:

1. River Oaks draws down the lagoon level at least 2 feet, but not more than 4 feet;
2. River Oaks shall, as expeditiously as weather permits, construct the treatment plant additions for which a permit was issued by the Agency on December 2, 1981;
3. River Oaks shall notify the Agency at its Springfield Regional Office when draw down will begin and upon completion;
4. River Oaks shall take at least one 24-hour composite sample of the effluent discharge when drawing down. The results of the analysis of any samples shall be reported to the Agency within 10 days after the sample is obtained; and

5. River Oaks shall execute a certification of acceptance, and agreement to be bound by the terms of the variance within 15 days. This certificate shall be in the following form:

CERTIFICATION

I, (We) _____, having read the Order of the Illinois Pollution Control Board in PCB 82-37 dated April 1, 1982, understand and accept said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner


By: Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify that the above Opinion and Order was adopted on the 1st day of April, 1982 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board