

ILLINOIS POLLUTION CONTROL BOARD  
February 17, 1982

OAK GROVE MOBILE HOME PARK, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 81-148  
 )  
 ) ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 ) and VILLAGE OF MILAN, )  
 )  
 ) Respondents. )

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

This matter comes before the Board on the petition for variance filed by the Oak Grove Mobile Home Park (Oak Grove) September 28, 1981 as amended November 19, 1981. Oak Grove seeks variance from the Chapter 3: Water Pollution effluent limitations of Rules 203(f) as it relates to ammonia nitrogen, Rules 404(a-c) as they relate to BOD<sub>5</sub> and TSS, and Rule 405 as it relates to fecal coliform. As one compliance option would involve transport of Oak Grove's effluent for treatment at a sewage treatment plant owned and operated by the Village of Milan, the Village was joined as a respondent by Board Order of December 3, 1981. The Village has voiced no agreement with or opposition to this petition.

The January 7, 1982 Recommendation of the Illinois Environmental Protection Agency (Agency) is that variance be granted in part and denied in part. The Agency notes in regard to the requested ammonia nitrogen variance, that variance from the water quality standards of Rules 402 and 402.1 would also be necessary to allow for Agency modification of Oak Grove's NPDES permit. The Board will accordingly construe this petition as seeking this additional relief. Hearing was waived and none has been held.

The Oak Grove Mobile Home Park is located approximately two miles south of the Village of Milan, Rock Island County. Its 55 mobile home units are served by a collection system and sewage treatment plant which have been in operation since the early 1950's. The treatment plant consists of three septic tanks in series, followed by a 1400 gallon dosing tank and intermittent sand filters. Effluent is discharged into an unnamed intermittent creek tributary first to Mill Creek, then the Rock River, then the Mississippi. Oak Grove seeks variance until the expiration of its current NPDES permit on May 31, 1986 to allow it to discharge

effluent containing 60 mg/l of each BOD<sub>5</sub> and TSS (the effluent standard being 10/12), 20 mg/l ammonia nitrogen (the effluent standard being 1.5 mg/l), and unlimited amounts of fecal coliform (the effluent standard being 400/100 ml). In six selected months between July, 1980 and May, 1981, Daily Monitoring Reports (DMR's) indicated BOD<sub>5</sub> loadings ranging from 18 to 96 mg/l, TSS from 22 to 102 mg/l, ammonia nitrogen from 7.09 to 7.56 mg/l, and fecal coliform from 1600 to 1,270,000 per 100 mg/l.

Total plant rehabilitation, as estimated by Beling Consultants, Inc., would require an initial outlay of \$33,700, with annual expenses of \$15,200. Oak Grove is loathe to embark on such a project for two reasons. First, monthly user charges of \$23 per month would be required (the petition's silence would indicate that there are currently none). More importantly, such expense could be obviated by Oak Grove's connection to the Milan sewer system and treatment plant.

The Agency notes that the Milan plant currently has the capacity to treat Oak Grove's effluent. The Village is currently in Step 1 of the construction grant program, and is expected, according to Agency grant personnel, to have completed a facility plan in a year. The Village has, however, also applied for a Step 1 grant amendment to allow it to conduct a Sewer System Evaluation Survey. Oak Grove states that it cannot estimate the costs of connection until the plan is complete, although the Agency believes such estimates can be made, and can be completed within six months.

As an interim measure, Oak Grove proposes to make certain renovations and improvements to its system, particularly the sand filter area. These interim measures would involve outlays initially of \$13,800 and then annually of \$6,600, resulting in imposition of a \$10 monthly user charge.

The Agency concludes that some relaxation of the Board's regulations would be both environmentally acceptable and consistent with the Clean Water Act, but not to the levels requested. It believes that with improved operation and maintenance BOD<sub>5</sub> and TSS limitations of 30/30 could be achieved. As Oak Grove's ammonia nitrogen levels have not exceeded 7.58 mg/l, the Agency suggests an interim limit of 8.0 mg/l to prevent "backsliding" and possible toxic effects to fish by discharge at the requested 20.0 mg/l level. The Agency recommends that the fecal coliform limit be eliminated. In support it cites the pendency of R77-12, Docket D remarking that Oak Grove would be exempt from the limitation if the rules are adopted as proposed. Finally, the Agency proposes that variance, with conditions, expire in six months by which time costs of connection to the Milan system should have been completed.

The Board finds that denial of variance would impose an arbitrary or unreasonable hardship. Oak Grove is within the Milan Facility Planning Area. Given the preference, for environmental

and other reasons, for regional sewage treatment over individual treatment plants, for the Board to require complete plant rehabilitation at this time would not be in the best interests of all concerned. Variance will be granted to include effluent limitations as recommended by the Agency. While the fecal coliform limit will be waived entirely, this does not reflect a pre-judgement of the outcome of R77-12, Docket D. Rather, it reflects the Board's determination that the capital outlay required for installation of disinfection equipment can reasonably be deferred for the short term of this variance, during which the regulatory proceeding should have been completed.

The Board believes that the suggested six-month term for variance is too short, while Oak Grove's 4 year proposal is too long. Proper evaluation of the costs and feasibility of connection to the Milan plant may well be dependent upon information generated during the next year in the course of the Village's SSES and facility planning. However, four years is too long for Oak Grove to defer ultimate compliance planning. Variance with conditions is therefore granted for one year.

This Opinion constitutes the findings of fact and conclusions of the law of the Board in this matter.

#### ORDER

1. Petitioner, the Oak Grove Mobile Home Park, is granted variance from Rule 203(f), 402, 402.1 and 404(a,c) of Chapter 3: Water Pollution, until February 17, 1983 subject to the following conditions:

A) The following effluent limitations shall be met: BOD<sub>5</sub> and TSS -- 30/30 as a monthly average, and ammonia nitrogen -- 8.0 mg/l.

B) Oak Grove shall, after receipt of all necessary permits,

i) Remove the sludge from its existing septic tank system at least three times a year.

ii) Replace the duplex siphons to permit alternate dosing of each sand filter.

iii) Maintain and improve the existing sand filter area by a) replacing the sand to a depth of 2 feet with washed filter sand, effective size .25 to 1.0 mm with a uniformity coefficient not greater than 3.5, b) replacing filter cell walls, c) refurbishing inlet distribution system to each filter.

C) On or before February 1, 1983, Oak Grove shall submit to the Agency a report on the feasibility and costs of connection to the Village of Milan sewer system.

2. Within forty-five days of the date of this Order, Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Enforcement Programs, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Acceptance and Agreement to be bound to all terms and conditions of this variance. This forty-five day period shall be held in abeyance for any period this matter is being appealed. The form of the certificate shall be as follows:

CERTIFICATE

I, (We), \_\_\_\_\_, having read the Order of the Illinois Pollution Control Board in PCB 81-148, dated \_\_\_\_\_, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
By: Authorized Agent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

3. The Agency is authorized to modify Oak Grove's NPDES permit consistent with the terms of this Order.

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 17<sup>th</sup> day of February, 1982 by a vote of 4-0.

*Christan L. Moffett*  
\_\_\_\_\_  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board