## ILLINOIS POLLUTION CONTROL BOARD October 13, 1977

DERBY MEADOWS UTILITY COMPANY,	)
Petitioner,	)
and	)
HOMEOWNERS' ASSOCIATION OF PHEASANT HOLLOW & DERBY HILLS,	) ) PCB 77-153
Intervenor,	Ì
v.	)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)
Respondent.	)

INTERIM ORDER OF THE BOARD (by Mr. Young):

On September 29, 1977, Petitioner filed a Motion for Modification of Board Order wherein modification of paragraph 3(d) of the Board Order of September 15, 1977, is sought.

Paragraph 3(d) of the Board Order requires that the Petitioner not authorize any connection to the collection sewers without prior approval from the Environmental Protection Agency and notice to the Intervenor.

It appears that Petitioner obviously intended to request modification of paragraph 3(c) to revise the allocation set forth in that portion of the Order rather than 3(d).

The proposed Sanitary Sewer Connection Allocation dated September 27, 1977, and annexed to the Motion contains several errors. The Motion itself, while stating that the developers of Derby Meadows 3 and Heather Estates have consented to the loss of allocations (3 and 1 respectively), no such statement appears regarding the developers of Sylvan Hills 3, who would lose 6 connections, and Lancaster Square 3, who would lose 45 connections.

In view of these discrepancies, the Motion will be denied unless amended within 14 days of the date of this Order and such amendment includes a signed statement of consent from any developer or builder who would lose connections under the proposed modification of the connection allocation together with the written assent of the Intervenor and the Respondent.

The Board notes from the proposed allocation that a total of 560 homes have been occupied and presumed connected to the system; at the time of the hearing 506 homes had been connected (R. 43). The Board Order of September 15, 1977, in paragraph 3(a) and 3(b) provided that no additional sewer connections be made until installation of a flow meter at the sewage treatment plant had been completed and a detailed listing of all subscribers served by the Petitioner had been delivered to the Respondent and Intervenor. The Board will require verification by the Petitioner that paragraphs 3(a)(b) and (d) of the September 15, 1977, Order were complied with prior to allowing those additional connections before any modification of that Order will be considered.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 131 day of \_\_\_\_\_\_\_, 1977 by a vote of

Christan L. Moffett Clerk
Illinois Pollution Control Board