

ILLINOIS POLLUTION CONTROL BOARD
November 10, 1977

LEWIS AND CLARK COMMUNITY COLLEGE,)
)
 Petitioner,)
)
 v.) PCB 77-220
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

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

Petitioner is requesting an extension of a prior variance from the requirements of Rule 404 of Chapter 3: Water Pollution of the Board's Rules and Regulations. On May 12, 1977 in PCB 76-327 the Board noted that the Petitioner had made a good faith effort toward maintaining a quality effluent from its sewage treatment plant. A variance was granted until September 1, 1977 because the completion of the Godfrey Sewage Treatment Plant was anticipated by that date.

Since May 12, 1977 Petitioner has substantially complied with the conditions imposed in its variance, but the Godfrey Sewage Treatment Plant is still not ready to accept Petitioner's effluent. Petitioner has stated that it is ready to connect but that the Godfrey Plant may not be ready until January 1, 1978. The Agency has indicated that April 30, 1978 may be a more realistic date.

The records in PCB 72-246, 74-81, 75-164, and 76-327 are hereby incorporated into the record of this proceeding.

Petitioner shall be required to meet the same interim conditions until it is able to complete its connection.

Denial of a variance from Rule 404(f) of Chapter 3 would constitute an arbitrary or unreasonable hardship upon Petitioner.

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

ORDER

A variance from Rule 404(f) of Chapter 3: Water Pollution of the Board's Rules and Regulations is hereby granted until April 30, 1978 or the completion of the Godfrey Sewage Treatment Plant, whichever occurs first, subject to the following conditions:

- a. Effluent from Petitioner's sewage treatment plant shall not exceed 20 mg/l BOD and 25 mg/l suspended solids on a monthly average;
- b. Petitioner shall take all necessary steps to ensure that the sewage treatment plant effluent does not exceed 400 fecal coliform/100ml;
- c. Petitioner shall not increase the waste load to its sewage treatment plant beyond its designed capacity;
- d. Petitioner shall maintain its interceptor line so that it is ready for connection at the time the Godfrey Sewage Treatment Plant is placed in operation.
- e. Within 35 days of the Board's final Order herein, Petitioner shall execute and forward to the:

Variance Section
 Division of Water Pollution Control
 Illinois Environmental Protection Agency
 2200 Churchill Road
 Springfield, Illinois 62706
 Attention: Mr. Robert Mulvey

a Certification of Acceptance and agreement to be bound to all terms and conditions of the variance. The form of said Certification shall be as follows:


CERTIFICATION

I, (We) _____
 having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 77-220, hereby accept said Order and agree to be bound by all the terms and conditions thereof.

Signed by _____
 Title _____
 Date _____

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 10th day of November, 1977 by a vote of 5-0.



 Christan L. Moffett, Clerk
 Illinois Pollution Control Board