

ILLINOIS POLLUTION CONTROL BOARD
June 28, 1977

SANITARY DISTRICT OF ELGIN,)
)
 Petitioner,)
)
 v.) PCB 77-132
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

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

This matter is before the Board on the petition filed on April 25, 1977, by the Sanitary District of Elgin seeking a two-month extension of an existing variance which provides relief from the phosphorus removal requirements of Rule 407(b) of the Water Pollution Regulations.

The District is proceeding with a program to upgrade its treatment plant to a 17.0 MGD activated sludge plant with phosphorus removal facilities and microstrainers for advanced treatment. The phosphorus removal equipment was scheduled to be operational by May 1, 1977, but due to the extremely severe weather conditions experienced this past winter, the District has been unable to complete the construction on schedule.

The Agency's favorable Recommendation is based on its belief that the District is not responsible for the delay in construction which has occurred. The Agency expects that the phosphorus removal equipment will be operational by July 1, 1977 (Rec. 2).

In view of the foregoing, the Board will once again grant the relief requested; it would be unreasonable under the facts presented to do otherwise. This variance will be extended subject to the condition that the District maintain its phosphorus effluent concentration at or below 4.9 mg/l as an annual average.

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

ORDER

The Sanitary District of Elgin is hereby granted variance from Rule 407(b) of the Water Pollution Regulations for its Main Plant from May 1, 1977, until July 1, 1977, subject to the condition that the District shall maintain the phosphorus effluent concentration at or below 4.9 mg/l as an annual average.

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 28th day of June, 1977 by a vote of 4-0.

Christan L. Moffett pk
Christan L. Moffett, Clerk
Illinois Pollution Control Board