

It also appears from the Agency Recommendation that the effluent of the North Chicago plant will be diverted to the North Shore Sanitary District's new Gurnee plant, which is scheduled for completion in November, 1975. After that time, discharges from the North Chicago plant into Lake Michigan will be eliminated. That being the case, it would appear that the grant of this Variance would not contravene the purposes of the North Shore Sanitary District sewer ban: the protection of Lake Michigan. 1 PCB at 385.

The Agency also notes that the sewers to which Petitioners' proposed home will be connected are not subject to overflow, bypassing, or backup. Such backup or sewer overflows have been important in past Board decisions in sewer ban Variances.

We agree with the Agency that the hardship present here is minimal; however, any damage to the environment, or to public health, which might result from the construction of Petitioners' new home is essentially nil. The Gurnee plant will, according to the Agency Recommendation, be on line before construction of Petitioners' new home is complete. There is no reason that this Variance cannot be granted.

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

ORDER

Petitioners, Mr. and Mrs. Roosevelt Nixon, Jr., are granted a Variance from Order No. 7 in League of Women Voters v. North Shore Sanitary District, PCB 70-7, 12, 13, and 14, to allow a sewer connection for the construction of a single-family residence on the following property:

Lots 13, 14, and 15 in Block 112 in South Waukegan, being a subdivision of the West half of the Southwest Quarter of Section 32, Township 45 North, Range 12, East of the 3rd P.M. and the West half of the Northwest Quarter of Section 5, Township 44 North, Range 12, East of the 3rd P.M. in Lake County, Illinois.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 16th day of October, 1975 by a vote of 3-0.

Mr. Young abstained.


Christan L. Moffett Clerk
Illinois Pollution Control Board