

ILLINOIS POLLUTION CONTROL BOARD
July 31, 1975

REV. ARTHUR STEVENSON,)
)
) Petitioner,)
)
 vs.) PCB 75-121
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

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

Rev. Arthur Stevenson seeks variance from a sewer ban imposed by the Pollution Control Board in League of Women Voters vs. North Shore Sanitary District, PCB 70-7, 12, 13 and 14 (as modified by North Shore Sanitary District vs. EPA, PCB 71-343). Relief is sought in order to connect a single family dwelling to the North Shore Sanitary District's North Chicago sewage treatment plant.

Petitioner states that he has owned property at 1443 Elizabeth Avenue in North Chicago, Illinois for a number of years. He has not been able to obtain a building permit for this site because of the sewer ban. He is planning on retiring in the near future and would like to build a single family dwelling on his property.

At present, Rev. Stevenson and his wife reside in a rented apartment in Waukegan, Illinois. Petitioner alleges that he will not be able to afford to pay high rent after his retirement. In addition, Petitioner alleges that his current residence is inadequate for the following reasons:

1. The apartment is located in a neighborhood which is run-down and has a high crime rate;
2. The apartment is not adequate in size for Petitioner's requirements;
3. Electrical wiring in the apartment is deficient and the apartment is so poorly insulated that Petitioner is required to utilize his kitchen range for heating purposes during the winter months;

4. The apartment is located next door to an auto body shop which constantly emits fumes offensive to his lungs, eyes and nose making it impossible for him to open windows or utilize his porch.

The proposed sewer connection would be tributary to the North Chicago sewage treatment plant. The North Chicago plant is a secondary treatment facility having a design average flow of 3.35 MGD and a maximum flow rate of 7.5 MGD. Effluent from the North Chicago plant presently discharges into Lake Michigan. Effluent from the North Chicago plant does not currently comply with the effluent standards of the Water Pollution Control Regulations. Plans have been made to divert this waste water, after primary treatment, to the new Gurnee sewage treatment plant. In a letter dated April 7, 1975 John P. Kottcamp, Jr., an engineer with the North Shore Sanitary District advised the Board that "the North Shore Sanitary District sewage treatment plant, North Chicago, will be pumping effluent to the new North Shore Sanitary District sewage treatment plant, Gurnee by October 15, 1975. At that time, all effluent from the North Chicago treatment plant will be pumped to the Gurnee plant and will no longer be discharged into Lake Michigan".

The Agency believes that the grant of this variance would result in little, if any, harm to the environment since in all probability the Gurnee sewage treatment plant will be on line before Rev. Stevenson's home is completed and ready to be occupied. The Agency recommends the grant of this variance.

It is the finding of the Pollution Control Board that Rev. Stevenson has met the statutory requirement for grant of variance. Variance will be granted in order that construction of the single family dwelling may begin immediately. The variance will provide, however, that Petitioner may not connect to the sewer line until the Gurnee sewage treatment plant is on line.

ORDER

It is the Order of the Pollution Control Board that Rev. Arthur Stevenson is granted variance from the sewer ban imposed in League of Women Voters vs. North Shore Sanitary District, PCB 70-7, 12, 13 and 14, as modified by North Shore Sanitary District vs. EPA, PCB 71-343, for the purpose of connecting a single family dwelling at 1443 Elizabeth Avenue, North Chicago, Illinois. Variance is granted on condition that Rev. Arthur Stevenson delay actual connection and use of his sewer facility until the Sanitary District has commenced pumping effluent from the North Chicago treatment plant to the Gurnee plant.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control

Board, hereby certify the above Opinion and Order was adopted
the 31st day of July, 1975 by a vote of
5-0.


Christian L. Moffett, Clerk
Illinois Pollution Control Board