

ILLINOIS POLLUTION CONTROL BOARD
June 26, 1975

VILLAGE OF ARGENTA)
)
) Petitioner,)
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)
) v.) PCB 75-182
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) ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

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

Petition for variance from Rule 203(c), 402 and 404(f) of the Water Pollution Regulations was filed with the Board on April 30, 1975. The Recommendation of the Environmental Protection Agency was filed on June 3, 1975. No public hearing was held.

The Village of Argenta is a community of 1,034 in Macon County near Decatur. It evidently has no existing sewer system and sewage plant at the present time. A project to provide sewers for the Village and a contact stabilization sewage treatment plant has now been designed and a Federal grant offer of 75% is pending.

The proposed sewage treatment plant is to be located east of Argenta and will discharge to Friends Creek which in turn flows to the Sangamon River. The Sangamon is dammed at Decatur to form Lake Decatur. This discharge would thus flow into Lake Decatur.

Effluent limits for the proposed plant are 10 mg/l BOD₅ and 12 mg/l suspended solids under the "Pfeffer Exemption" procedure. Construction is anticipated to begin about October 1, 1975 with completion and operation of the sewage plant on October 1, 1976.

The variance requested is from the phosphorus requirement of Rule 203(c) which limits phosphorus to 0.05 mg/l in any stream at the point where it enters any reservoir or lake. The petitioner's hardship is an economic one. If the Board does not grant the variance, phosphorus removal (even to 1.0 mg/l) is said to cost each family an additional \$7.10 per month (from \$12.30 to \$19.40).

The Petitioner makes the conclusory statement that an alternate form of sewage treatment (land irrigation) which would not require phosphorus removal would be too costly. An annual equivalent cost of \$38,624 is given for the land treatment alternative but no separate costs are given for the recommended contact stabilization plant and thus no comparison is possible.

The future contribution of Argenta in terms of phosphorus (without removal at the plant) is estimate at 6.7 lbs. per day by the Petitioner. Data are given from the Illinois State Water Survey showing phosphorus loadings in the Sangamon River at a point 2-1/2 miles north of Oakley as 3,380 lbs. per day. No map is provided in this record so we are not sure that this is a pertinent measurement.

The Petition, then, standing by itself, is not adequate to fully judge the variance. Fiscal data are missing, and no statement is given as to the existence or lack of existence of an algae bloom problem on Lake Decatur. The entire purpose of Rule 203(c) is to prevent eutrophication of lakes and reservoirs.

We turn next to the Agency Recommendation for guidance. It reveals that the grant offer to Argenta was made by the Agency on April 1, 1975 in the amount of \$1,291,400 for the entire project, including both the sewer collection system and the treatment plant. A separate itemized cost for the sewage plant alone is again not given and we still cannot make the fiscal comparison with the land treatment alternate discussed above.

The Agency discusses an alternate not mentioned by the Petitioner's consulting engineer; namely, diversion of the effluent to an intermittent stream tributary to the Sangamon River below Lake Decatur. The Agency concludes that pumping the effluent for five miles "would be prohibitive" but again no costs are given. We have to conclude that meaningful examination of this alternate, absent a cost estimate, is not possible.

The Agency recommends a grant of the variance citing the future pendency of a regulation change and the impending Federal grant. We cannot grant variances merely because the Agency may propose a regulatory change. A regulatory change must itself stand the test of public hearings and the statutory conditions for a regulation. We agree that it is important

that Federal funds not be lapsed and that this tiny village at long last should have installed a public sewer system. The argument that the Argenta phosphorus is a small amount of the total now going to Lake Decatur is important but not persuasive. Perhaps there are many Argentas upstream. We do not know on this record, And, more importantly, we do not know the algae condition now existing at Lake Decatur.

We would like to make an expedited decision in this case. We find the record presently inadequate upon which to make a reasoned judgment and remand it to the parties for a prompt response. If prompt response is made we will decide this cause on July 10 or July 11, 1975.

ORDER

The parties shall, by July 10, respond and provide to the Board, in suitable form, the following information:

1. A statement as to the extent, if any, of an algae bloom problem on Lake Decatur.
2. A statement as to the existence of taste or odors in the public water supplies originating from Lake Decatur due to algae.
3. A separation of the cost estimates for the proposed sewage treatment plant from the overall project on a basis similar to the figures given for phosphorus removal. In addition, a breakdown of the monthly charges shall be given as to the sewage plant alternatives standing alone from the sewer collection system.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Opinion and Order were adopted on the 26th day of June, 1975 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board