

ILLINOIS POLLUTION CONTROL BOARD

April 24, 1975

CARTHAGE INDUSTRIAL DEVELOPMENT )  
CORPORATION AND CITY OF CARTHAGE, )  
Petitioners, )  
 )  
v. ) PCB 75-48  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by Dr. Odell)

Carthage Industrial Development Corporation and City of Carthage filed a Petition For Variance with the Illinois Pollution Control Board (Board) on February 3, 1975. Petitioners sought relief from the prohibition of the Illinois Environmental Protection Agency (Agency) against construction and operation of a sanitary sewer extension pursuant to Section 39 of the Illinois Environmental Protection Act (Act) and Rule 962(a) of the Water Pollution Regulations (Chapter Three). The Agency Recommendation of March 3, 1975, concluded that the variance should be denied until certain measures were carried out, especially until an interim compliance plan was developed in response to the Agency's letter of October 18, 1974, to the City of Carthage. In its Interim Order of March 13, 1975, the Board set out the fact situation in full and gave Petitioners until April 1, 1975, to develop an interim compliance plan following the 18 points in the letter of October 18. The Agency was ordered to comment by April 8, 1975, on the Petitioner's interim compliance plan.

The parties have timely filed the required information. The Interim Compliance Plan was filed by the City on March 31, 1975, and the Agency Comments To Interim Compliance Plan were filed April 9, 1975. The Agency did not oppose the grant of the variance, subject to revisions in two sections of the Interim Compliance Plan. On the facts in this case, we rule that the variance be granted. The Order is written to incorporate the revisions suggested by the Agency.

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

ORDER

Carthage Industrial Development Corporation and the City of Carthage are hereby granted a variance from Section 39

of the Act and Rule 962(a) of Chapter Three, subject to the following conditions:

(a) The City of Carthage shall carry out the terms and conditions of the March 31, 1975, Interim Compliance Plan unless modified by other conditions of this Order.

(b) Instead of item 6 in the Interim Compliance Plan, the City of Carthage shall:

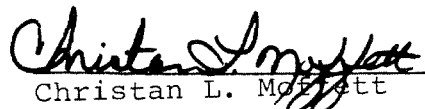
1. Remove all scum, grease and floating matter from the surface of the Imhoff tank within 15 days of the adoption of this Order and the tank surface thereafter shall be kept free of scum, grease and floating matter.
2. Loosen and remove all sludge from the lower portion of the Imhoff tank, especially in the south end. If necessary, a high pressure pump and hose using water from the final clarifier shall be used to dislodge sludge. This work shall be performed within 30 days of the adoption of this Order.
3. On a regular basis in the future, as determined to be necessary by weekly sounding of the sludge levels in the Imhoff digester compartment, remove sludge by portable pump from the south end of the Imhoff tank, where valves are inoperative.

(c) In addition to the requirements in the Interim Compliance Plan item 9, if rodding does not correct the situation the City of Carthage shall replace the media if it is feasible to do so. If the rodding is unsuccessful the City shall also have its City engineer conduct the engineering investigation, the results of such investigation to be supplied to the Agency by July 1, 1975. The City shall provide to the Agency a detailed cost analysis concerning the replacement of the upper two feet of media by July 1, 1975.

(d) The City of Carthage shall send completion reports to the Agency within 5 days after the completion dates in the Interim Compliance Plan. The reports shall be sent to Manager, Variance Section, Division of Water Pollution Control, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 24<sup>th</sup> day of April, 1975, by a vote of 4 to 0.

  
Christan L. Moffett