

ILLINOIS POLLUTION CONTROL BOARD  
January 23, 1975

VILLAGE OF GRAYSLAKE, )  
Petitioner, )  
v. ) PCB 74-409  
ENVIRONMENTAL PROTECTION AGENCY )  
Respondent, )

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

The Village of Grayslake filed a petition for variance on November 1, 1974 seeking an extension of a previously granted variance (Village of Grayslake v. EPA, PCB 73-308, 10 PCB 35 (November 8, 1973)). The Agency filed its recommendation to grant the requested relief on December 20, 1974. No hearing was held in this matter. Numerous citizen objections were submitted by persons who reside in Third Lake.

Petitioner owns and operates a secondary sewage treatment plant located in Lake County. The effluent from petitioner's treatment facility flows to the Avon-Fremont Drainage Ditch, an intermittent stream, which is a tributary to Third Lake. Third Lake discharges to Mill Creek which is a tributary to the Des Plaines River. In the prior variance proceeding, petitioner received a variance from Rule 203(c) of the Water Pollution Regulations. Petitioner's prior request for a variance from other effluent limitations was dismissed as premature. In this present proceeding, petitioner requests an extension of the variance from Rule 203(c) and a variance from Rules 203(f), 404(f), 406, and 602 of the Water Pollution Regulations. Petitioner seeks a variance from the various rules to permit its effluent to exceed the ammonia nitrogen, BOD, suspended solids and phosphorus limitations applicable to its discharge.

Petitioner has entered into a contract with the Lake County Public Works Department to transport the effluent from petitioner's sewage treatment plant to the Gurnee Treatment Plant currently under construction by the North Shore Sanitary District (NSSD). In the previous variance proceedings it was anticipated that petitioner's effluent would be diverted no later than January 1, 1975. Petitioner now estimates that connection can be made to the Gurnee Plant by November 1, 1976 when a raw sewage pumping station

is placed in operation to receive the effluent from the regional interceptor into which petitioner will discharge. The Agency stated that the Lake County Public Works Department interceptor has a high priority number which the Agency believes will enable funding in the present fiscal year. The delay in diverting petitioner's effluent to the Gurnee Sewage Treatment Plant was beyond the control of petitioner.

In an effort to reduce infiltration, petitioner has entered into an extensive grouting program which has resulted in over 50% of petitioner's sanitary sewers being grouted. Petitioner states that the average BOD of its effluent was 11.9 mg/l and the average suspended solids effluent was 6.02 mg/l for the first eight months of 1974. The previous opinion of the Board discussed the degraded water quality present in Third Lake. The Agency, however, recommends that the Board grant the requested extension because little environmental improvement in the Avon-Fremont drainage ditch or Third Lake would occur if petitioner was required to implement control technology to remove phosphorus or ammonia nitrogen from its wastewater effluent during the brief period of operation until diversion to the Gurnee Plant. The Board agrees with the Agency because sufficient phosphorus and other nutrients for excessive algae growth will be present in Third Lake even if petitioner were to immediately divert its flow. These nutrients are contained within the two feet of dead algal mass at the bottom of Third Lake. These would be re-introduced into Third Lake by normal breakdown and lake overturn. For these reasons the Board has decided to grant petitioner variance to November 1, 1976.

Petitioner's request for a variance from Rule 406 of the Water Pollution Regulations is inappropriate because Rule 406 applies to discharges to the Illinois River the Des Plaines River downstream of its confluence with the Chicago River System, the Chicago River system, and the Calumet River system.

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

#### ORDER

Petitioner is hereby granted an extension of the variance from Rule 203(c) of the Water Pollution Regulations from November 9, 1974 until November 1, 1976. Petitioner is hereby granted a variance from Rules 203(f), pertaining to ammonia nitrogen; Rule 404(f), pertaining to BOD and suspended solids; and Rule 602, pertaining to the upgrading and enlarging of petitioner's sewage treatment plant, from January 1, 1975 until November 1, 1976. These variances are granted subject


to the following conditions:

1. Petitioner shall not increase the strength or quantity of the wastewater discharge during the term of the variance.
2. Petitioner shall utilize the methods available to obtain the best effluent quality possible from existing waste treatment facilities.
3. Petitioner shall divert all flows to the NSSD Gurnee Sewage Treatment Plant within 30 days after the interceptor sewer is placed in operation.
4. Petitioner's discharge shall not exceed 10 mg/l of BOD and 12 mg/l of suspended solids as a daily average value with a limitation of 25 mg/l BOD and 30 mg/l of suspended solids as a daily maximum.

Petitioner's request for a variance from Rule 406 is hereby dismissed.

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 23<sup>rd</sup> day of January, 1975 by a vote of 4-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board