

ILLINOIS POLLUTION CONTROL BOARD  
February 27, 1973

EDWARD HANSON and )  
LEE ROY McDONALD )  
 ) #72-478  
 )  
v. )  
 )  
ENVIRONMENTAL PROTECTION AGENCY )

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Petition was filed by Edward Hanson and Lee Roy McDonald, seeking variance from the sewer ban order entered in League of Women Voters v. North Shore Sanitary District, ##70-7, 12, 13 and 14, in order to enable connection of 2 single-family residences to the facilities tributary to the Clavey Road sewage treatment plant of the North Shore Sanitary District.

Additions have been made in the Clavey Road plant presently in the process of upgrading and expansion, which have improved its effluent and enabled the granting of a limited number of connection permits by comprehensive variance. See North Shore Sanitary District v. Environmental Protection Agency, #71-343 (January 31, 1971) and North Shore Sanitary District v. Environmental Protection Agency, #71-343 (March 2, 1972); North Shore Sanitary District v. Environmental Protection Agency, #72-451 (February 14, 1973). However, the permits authorized by this variance have already been granted. Any further connections to Clavey Road must be individual variance requests as in the present case.

Petitioners presently use septic tanks which are in a saturated area and not operating satisfactorily. Severe health hazards and nuisances are likely to occur if this condition remains unabated. The burden on the community in allowing the requested sewer tie-in is less than that caused by continuation of the present unsatisfactory septic tank situation. This view is confirmed by letter from the Lake County Health Department.

We will grant the variance as requested, permitting the tie-in by petitioners to the Clavey Road sewers tributary to the Clavey Road sewage treatment plant. See Bartell v. Environmental Protection Agency, #72-382 (October 17, 1972) 5 PCB , Winsor v. Environmental Protection Agency, #71-334 (November 23, 1971) 3 PCB 174A.

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

IT IS THE ORDER of the Pollution Control Board that petitioners each be allowed to connect their single-family residences to sewer facilities tributary to the Clavey Road sewage treatment plant.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 27<sup>th</sup> day of February, 1973, by a vote of 3 to 0.

Christan S. Moffett