ILLINOIS POLLUTION CONTROL BOARD June 21, 1973

KENNETH S. SMITALA)))	
v .)	PCB 73-213
ENVIRONMENTAL PROTECTION AGENCY)))	

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

On May 23, 1973 Mr. Smitala submitted a petition for variance to connect a gasoline service station and a "small fabricating business" to the sanitary sewer in Lake County. Attached to his petition is a March 27, 1973 "Notice of Violation" from the Lake County Health Department stating that "septic effluent discharges to roadside ditch" were noted.

The Agency in its recommendation filed June 14, 1973 asks for a denial until "a verified statement that inadequacies of the present septic system cannot be solved by repair or redesign" is provided. We do not think that a verified statement is necessary. The Board in many previous opinions has opted for septic tank disconnections. And in this case, the Lake County Health Department is on record as observing septic effluents coming into a ditch. Effluents from septic tanks are health hazards and carry the viruses of hepatitis and polio and other diseases.

A June 20, 1973 letter from the Lake County Health Department confirms the unsuitability of the soil for proper septic tank and field operation. The County letter also states that no "small fabricating business" is located here but that a "vending service" facility does exist.

The variance is granted as to the vending service facility and the gasoline service station. If a "fabricating business" is contemplated then the petitioner may repetition giving adequate facts about it.

ORDER

Variance is granted from the <u>League of Women Voters v. North</u>
Shore Sanitary District order (PCB 70-7, 12, 13, 14) to permit facility connection of the gasoline service station and vending service at 1300 Skokie Highway in Shields Township of Lake Bluff to the

sanitary sewer tributary to the North Shore Sanitary District Clavey Road Plant.

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 2137 day of June, 1973 by a vote of 4-5

Illinois Pollution Control Board