

ILLINOIS POLLUTION CONTROL BOARD
April 26, 1973

COMMERCIAL INCOME INVESTMENTS, INC.)
)
)
 v.) PCB 73-163
)
)
 ENVIRONMENTAL PROTECTION AGENCY)
)

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

The petition received April 20, 1973 asks for a variance apparently from the Board's sewer ban in order to proceed with plans and land acquisition in North Chicago along Green Bay Road with the intent of constructing a 104 unit motel.

The petition states that the motel will be completed in February 1974 "several months after the projected completion by the (North Shore Sanitary) district of their secondary treatment facility."


The petition is inadequate and premature. It does not state a cause of hardship as required by Section 35 of the Environmental Protection Act. And if the District facilities will in fact be completed on the date alleged then perhaps no variance will be needed.

The sewer ban is intended to stop additional connections until adequate sewage treatment is available. Unless extraordinary hardship is shown (and none is here alleged) the ban should be a ban if it is to be effective.

The petition is dismissed as being inadequate and premature.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted on the 26th day of April, 1973 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board