

ILLINOIS POLLUTION CONTROL BOARD
October 17, 1972

GRANT PARK COMMUNITY UNIT SCHOOL)
DISTRICT NO. 6 OF KANKAKEE COUNTY, ILLINOIS)

v.)

PCB 72-378
(formerly 72-261)

ENVIRONMENTAL PROTECTION AGENCY)
)
)

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

This is a Petition for Reconsideration of an earlier Board order (August 29, 1972) denying the School District's request for a variance. Briefly stated, the original Petition for Variance requested permission to discharge sanitary wastes from the newly constructed high school building into the local storm sewers. One of the District's major arguments was that the new school was entirely replacing the old school and that the quality of the effluent from the new school would be better than from the old.

In our earlier order we noted that, among other things, the record was inadequate as to analytical data concerning the effluent from the old school, the expected effluent from the new school and also the effects of the proposed discharge upon the receiving waters.

This Petition for Reconsideration (filed September 20, 1972), does not satisfy the aforementioned inadequacies. In the absence of such data we cannot determine the extent to which the general public would be injured if the variance were granted. Even though the effluent from the new school would be of a higher quality than from the old, we still would not know the harm that the new effluent would be causing to the stream.

We must, therefore, deny the Petition for Reconsideration. However, we are in no way prohibiting the District from using its new school, including the sanitary facilities. In fact, since the effluent from the new school will be of a higher quality, we are hereby ordering that the District be allowed to connect its new school facilities into the existing City sewer system. We caution, however, that we are not granting a variance; we are merely allowing the District to discharge a cleaner effluent than it did from the old

school. The District may connect and discharge at its own risk but will not be immune from prosecution for violations, if any, of the Act or Regulations.

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 17th day of October, 1972 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board