

The Board agrees and will grant variance from Rule 962(a) for the purpose of allowing the connection of the four septic systems determined by the Health Department to be malfunctioning.

The Board notes that in its Opinion in PCB 81-43, it stated that the existing sewer extension was to be used for the eight subject connections in that case "and is unavailable for additional connections." The Agency suggests, therefore, that variance be granted from that language. However, that language simply stated the fact that no other connections were being allowed by that variance. Its intent was not to bar any future variances. Therefore, the Board finds that variance from Rule 962(a) is sufficient to grant the requested relief.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

ORDER

1. Westown Lands West Subdivision and the Village of Lombard are hereby granted variance from Rule 962(a) of Chapter 3: Water Pollution, for the purpose of connecting the 4 lots in the subdivision identified in the variance petition in this matter to have malfunctioning septic systems to the sewer system of the Village of Lombard.

2. Within forty-five days of the date of this Order, Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Division of Water Pollution Control, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Acceptance and Agreement to be bound to all terms and conditions of this variance. This forty-five day period shall be held in abeyance for any period this matter is being appealed. The form of the certificate shall be as follows:

CERTIFICATE

I, (we), _____, having read the Order of the Illinois Pollution Control Board in PCB 82-57, dated _____, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 21st day of July, 1982 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board