

ILLINOIS POLLUTION CONTROL BOARD
December 16, 1976

MENDON COMMUNITY UNIT)
SCHOOL DISTRICT NO. 4)
(Greenfield Elementary School),)
)
Petitioner,)
)
)
v.) PCB 76-231
)
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

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

This case comes before the Board on a Petition for Variance filed on September 14, 1976 by the Mendon Community School District No. 4 for the Greenfield Elementary School located approximately two miles north of Ursa, Adams County, Illinois. The District requests variance from the BOD₅ and suspended solids standards in Water Pollution Regulation 404(f) until such time as it is able to connect the School's sewage effluent onto a sewage treatment plant to be constructed by the Village of Ursa. Ursa presently is in the Step I phase of grant application for such facilities and it is anticipated that only Step II funds will be available with the present appropriated funds. It thus appears uncertain as to whether the plant would be completed by December 31, 1977, which is the District's proposed compliance date. On November 12, 1976, the Agency submitted its Recommendation to the Board. No hearing was held in this matter.

The Petition states that the two principal alternatives for the correction of the problems associated with the School's present package activated sludge plant are to either hook onto the prospective Ursa plant or to construct a lagoon type wastewater treatment facility to serve the school. The School generates approximately 4,000 gallons per day of domestic sewage. The Petitioner states that it is highly desirable that the package plant be removed both because of its age (15 years) and repeated subjection to mechanical breakdown. The best solution it feels to this situation would be the construction of a force main and lift station to allow a hook-on to a larger sewage treatment plant. The District, in Exhibit "E" to its Petition estimates the cost to be \$66,000 compared to \$101,000

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for the construction of a lagoon system. However, the Board has no assurance that the proposed Ursa plant will be completed anywhere near the projected December 31, 1977 date. Design work is yet to be funded and completed and additional funding is necessary for the construction. It is thus necessary to insure that the District make every reasonable improvement in its present system. Exhibit "G" is a letter from the Agency, dated July 1, 1976, suggesting a short-term program for improving the School's effluent. In paragraph 11 of its Petition, the District states that it has "substantially" complied with that program. Even so, the Agency has seen fit to ask in its Recommendation that further interim requirements be considered and/or imposed by July 31, 1977.

According to the Agency's Recommendation, the discharge is only 1-3 gpm. Bear Creek, which eventually receives this flow, has an average annual flow of 90,000 gpm. Thus the discharge appears to be de minimus but no information is given as to any odors, etc. emanating from the unnamed tributary.

On November 30, 1976 the District filed a Response to the Agency Recommendation. It stated that the cost of adding reliable aeration equipment, an intermittent sand filter and disinfection equipment would be \$25,600. The District also pointed out that it is now operating on a deficit basis and has been required to curtail needed educational programs and other services. It has a tax referendum scheduled in December 1976 to provide needed funds.

On December 9, 1976 the Petitioner filed an Additional Response with the Board and stated that the December 4, 1976 tax increase proposal had been defeated.

The Board is required to determine whether an arbitrary and unreasonable hardship will exist if the variance is not granted. On balance we feel that a variance is justified. The District has shown good faith in complying with earlier Agency requests to upgrade its treatment facility. The discharge is extremely small in volume and the Agency itself terms its effect upon Bear Creek to be "quite minimal". Lastly, the financial plight of the District has been shown. If funds are available in early 1977 then there is a bare possibility that the Ursa project may be completed by December 31, 1977. The Board favors the elimination of small waste treatment plants where ever conditions make this possible.

This Opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

The Petitioner, Mendon Community Unit School District No. 4 is granted variance from Rule 404(f) of the Water Pollution Regulations until December 31, 1977 as regards the Greenfield Elementary School sewage treatment plant.

The School District shall adequately maintain and operate the subject treatment plant to minimize breakdowns and poor effluent quality.

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 16th day of December, 1976 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board