

ILLINOIS POLLUTION CONTROL BOARD
September 15, 1977

DERBY MEADOWS UTILITY COMPANY,)
)
Petitioner,)
)
and)
)
HOMEOWNERS' ASSOCIATION OF)
PHEASANT HOLLOW & DERBY HILLS,)
)
Intervenor,) PCB 77-153
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by Mr. Young):

1. Derby Meadows Utility Company is granted a variance for its sewage treatment plant from Rule 404(f) of Chapter 3: Water Pollution Regulations until September 15, 1979, subject to the following conditions:

(a) This variance will terminate upon the adoption by the Board of any modification of Rule 404(f) and Derby Meadows Utility Company shall comply with such revised regulations when adopted by the Board.

(b) During the period of this variance the effluent from the Derby Meadows Utility Company sewage treatment plant shall not exceed 10 mg/l of BOD₅ or 12 mg/l of suspended solids.

2. Derby Meadows Utility Company is granted a variance from Rules 203(d) and 402 of Chapter 3: Water Pollution Regulations until September 15, 1979, subject to the following conditions:

(a) The variance herein granted shall apply only to the general standard for dissolved oxygen in the Illinois and Michigan Canal from the confluence with

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Long Run Creek downstream approximately five miles to the discharge into the Sanitary and Ship Canal.

(b) During the period of this variance Derby Meadows Utility Company shall monitor and report to the Agency monthly the dissolved oxygen levels in the Illinois and Michigan Canal both upstream and downstream of the confluence with Long Run Creek, at such locations, not to exceed a total of four, and with such frequency, as shall be determined by agreement with the Agency.

(c) If the dissolved oxygen levels measured at the locations in the Illinois and Michigan Canal downstream of the confluence with Long Run Creek do not exceed the limitations of Rule 203(d) in any consecutive six-month period, further monitoring under 2(b) above shall not be required.

3. Variance is granted from the provisions of Part IX, Subpart B of Chapter 3 to the extent necessary to allow the Environmental Protection Agency to issue construction and operation permits for sewers tributary to the Derby Meadows Utility Company sewage treatment plant to serve the subdivisions platted as Pheasant Hollow South Unit 2, Derby Hills Unit 1 and Orland Trails, subject to the following conditions:

(a) Derby Meadows Utility Company shall install and operate a recording flow meter acceptable to the Environmental Protection Agency at the sewage treatment plant before allowing any additional connections to the sewers tributary to the plant.

(b) Derby Meadows Utility Company shall immediately prepare a listing by subdivision of all persons presently connected to the collection system giving the name of the subscriber, date of connection and street address and shall deliver a copy of such listing to the Environmental Protection Agency and to the attorney for or a person designated by the Intervenor Homeowners' Association of Pheasant Hollow and Derby Hills before allowing any additional connections to the sewers tributary to the sewage treatment plant.

(c) Future connections to the collection sewers tributary to the Derby Meadows Utility Company shall be allocated among the subdivisions comprising the service area in accordance with the Proposed Sanitary Sewer Connection Allocation enclosed with a letter of June 10, 1977, from Louis R. Bertani to Dale R. DeClue, further

identified as Exhibit B to Petitioner's Exhibit 14 in PCB 77-153.

(d) Derby Meadows Utility Company shall not authorize any connection to the collection sewers tributary to the sewage treatment plant unless a written request to allow such connection, including the name, address and subdivision of the prospective subscriber, has been delivered to the Environmental Protection Agency at a location and to a person designated by the Agency and the Agency has approved such request. If the Agency has not approved such a request to allow connection within two full working days after receipt of the request, the request will be presumed granted. A copy of each request to connect shall be delivered to the attorney for or a person designated by Intervenor Homeowners' Association of Pheasant Hollow and Derby Hills.

(e) The Board will continue jurisdiction in this matter until completion of the expansion of the sewage treatment plant to 0.6 MGD and will make such modification of this order as appropriate on the filing of a Motion to Modify by the Petitioner after expansion to 0.6 MGD has been completed and verified by the Environmental Protection Agency.

(f) Derby Meadows Utility Company shall not authorize connection of more than 750 homes to the collection sewer system or allow influent volume to the sewage treatment works to exceed 0.3 MGD, whichever is least, without further order of the Board.

(g) Beginning October 1, 1977, Derby Meadows Utility Company shall prepare a monthly summary in detail of the construction status toward the completion of the expansion of the sewage treatment plant to 0.6 MGD and shall mail a copy of such report to the Environmental Protection Agency and to the attorney for or a person designated by Intervenor Homeowners' Association of Pheasant Hollow and Derby Hills.

4. Within 35 days of the date of this Order, the Petitioner shall submit to the Manager, Variance Section, Division of Water Pollution Control, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois, 62706, an executed Certification of Acceptance and agreement to be bound to all terms and conditions of the variance. The form of said certification shall be as follows:

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CERTIFICATION

I, (We), _____ having read
the Order of the Pollution Control Board in PCB 77-153,
understand and accept said Order, realizing that such
acceptance renders all terms and conditions thereto
binding and enforceable.

SIGNED

TITLE

DATE

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution
Control Board, hereby certify the above Order was adopted on
the 15th day of September, 1977 by a vote of 4-0.

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

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