

ILLINOIS POLLUTION CONTROL BOARD
December 14, 1978

SOUTHERN ILLINOIS UNIVERSITY,)
)
 Petitioner,)
)
)
 v.)
) PCB 78-270
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
)
 Respondent.)

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

This matter comes before the Board on a Petition filed October 23, 1978, by Southern Illinois University for a variance from Rule 962(a) of Chapter 3 of the Board's Rules and Regulations to connect a School of Technical Careers Building to a sanitary sewer tributary to the City of Carbondale South-East Wastewater Treatment Plant. Petitioner waived a hearing on this variance. The Agency filed a recommendation that the Petition be granted on November 27, 1978.

The City of Carbondale South-East Wastewater Treatment Plant was placed on restricted status by the Agency on April 19, 1978, as a result of organic overloading. NPDES Permit No. IL 0027898 sets interim effluent concentration limits for the plant at 30 mg/l BOD₅ and SS and final limitations at 12 mg/l BOD₅ and SS. Discharge monitoring reports for the period December, 1977, through August, 1978, indicate that the interim limitations are being met. The City of Carbondale is currently taking action under the construction grants program to upgrade the treatment plant.

The connection of the building for which this variance is sought is estimated to result in an increase of about 1,676 gallons per day to the treatment plant which has a design capacity of 5.0 million gallons per day (Pet. 1, 6; Rec. 3). The Agency classes the additional flow as insignificant and not expected to affect the ability of the treatment facility to achieve the interim effluent limitations of the NPDES permit.

The Board finds that it would be arbitrary and unreasonable to deny occupancy and use of the new six million dollar School of Technical Careers Building to serve an estimated 1107 students when completed in view of the minimal impact on the treatment plant.

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

ORDER

1. Southern Illinois University is granted a variance from Rule 962(a) of Chapter 3: Water Pollution, of the Board's Rules and Regulations to allow the connection of the School of Technical Careers Building to a sanitary sewer tributary to the City of Carbondale South-East Wastewater Treatment Plant for a period of one year from the date of this Opinion and Order, subject to the following condition:

- (a) Petitioner shall apply for a joint construction/operation permit and perform no construction of the sewer connection until the permit has been received.

2. Within forty-five (45) 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 forty-five day period herein shall be stayed during judicial review of this variance pursuant to Section 31 of the Environmental Protection Act. The form of said certification shall be as follows:

CERTIFICATION

I, (We), _____ having read the Order of the Pollution Control Board in PCB 78-270, understand and accept said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

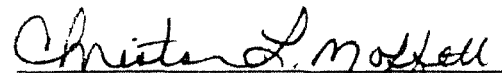
SIGNED

TITLE

DATE

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 14th day of December, 1978 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board