

effluent is water quality limited to the Rule 203(c) standard of .05 mg/l phosphorus. Because the Village's proposed treatment facility will not meet the .05 mg/l standard of Rule 203 (c), the Agency cannot issue a construction permit unless the Village first obtains a variance from the Board.

The Agency submits that the average phosphorous concentration of normal domestic sewage is approximately 10 mg/l; therefore the Village's proposed facility will discharge approximately 5 lbs/day phosphorus. In the USEPA National Eutrophication Survey Report on Carlyle Reservoir an annual total phosphorus loading of 698,050 lbs/year to Carlyle Reservoir is estimated. Based on this data, the Village's proposed treatment plant would result in only a 0.26% increase in phosphorus loading.

On January 5, 1976, the Agency filed a Petition for Regulatory Change (R76-1) with the Board which would amend the Regulation by requiring only point sources who have 1500 or more population equivalent to treat wastewater to a level not to exceed 1 mg/l prior to discharge. As justification for this proposal the Agency submits that eutrophication studies by both the USEPA and the Illinois State Water Survey show that the contribution of point source dischargers to the total phosphorus problem of lakes and reservoirs is small compared to the non-point source contribution. The Agency submits that non-point sources, such as run-off waters from farm lands fertilized with phosphate base fertilizers, account for the overwhelming majority of the phosphorus loading of most lakes and reservoirs.

The Village alleges that they will suffer an unreasonable hardship if the Board denies this variance request, a denial which would prevent the Village from utilizing State grant funds to assist in the construction of a much needed sewage treatment plant. In light of aforesaid studies and the small contribution that the Village's discharge will make to the Carlyle Lake phosphate problem, the Board is disposed to grant the relief requested. The Board will require, however, that the Village design and construct the sewage treatment plant to allow for the possible future installation of appropriate phosphorus removal facilities.

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

ORDER

The Village of Strasburg is granted a variance from the phosphorus limitations of Rules 203(c) and 402 of Chapter 3: Water Pollution Regulations until May 20, 1981, subject to the following conditions:

1. This variance will terminate upon adoption by the Board of any modification of the existing phosphorus water quality standards and effluent limitations and the Village of Strasburg shall comply with such revised regulations when adopted by the Board.

2. The sewage treatment plant shall be designed and constructed to allow for the possible future installation of appropriate phosphorus removal facilities, and

3. Within 35 days of the date of this Order, 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:

CERTIFICATION

I, (We), _____ having read the Order of the Pollution Control Board in PCB 76-28, 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 20th day of May, 1976 by a vote of 5-0.

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