

ILLINOIS POLLUTION CONTROL BOARD  
February 5, 1981

COUNTY OF DuPAGE, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 80-122  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 ) Respondent. )

OPINION AND ORDER OF THE BOARD (by I. Goodman):

On June 24, 1980 the County of DuPage (County) filed a petition for variance before the Board requesting relief from certain rules of Chapter 3: Water Pollution as they applied to dissolved oxygen in order to allow the County to construct and operate an interim wastewater treatment plant. No hearing was held in this matter, but the Board has received public comment.

The County, through its Department of Public Works, operates nine sewage treatment plants, including the Marionbrook Sewage Treatment Plant at Darien, Illinois. On April 30, 1979 the Agency notified the County that the Marionbrook plant was on restricted status.<sup>1</sup> The County is proposing to construct a temporary sewage treatment facility, to be known as the Interim Knollwood Wastewater Treatment Plant, having a capacity of 0.25 million gallons per day and discharging BOD<sub>5</sub> and suspended solids at levels of 20 mg/l and 25 mg/l, respectively, the standard limitations for discharge into the Des Plaines River (Rule 404(b)(ii)). The effluent would also contain a minimum concentration of 5.0 mg/l of dissolved oxygen. The County has requested variance from Rules 203(d), 402, 902(i)(1) and 962(a) as these concern dissolved oxygen.

The purpose of constructing the interim plant is to provide additional sewage treatment capacity in the area served by the Marionbrook plant (to be used to treat both existing and permitted flows) and to accommodate additional flows from new construction in the area. The Agency recommends that variance be granted from Rules 203(d) and 402 subject to certain conditions.

Considering the situation in the area involved herein, the Board finds that it would impose an unreasonable hardship to deny the construction of the proposed Interim Knollwood Wastewater

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<sup>1</sup>The Board has reviewed the situation at the Marionbrook Sewage Treatment Plant in prior variance cases and shall therefore not repeat that evaluation here.

Treatment Plant. The construction of this plant will not only lead to improved quality of the present discharges into the DesPlaines River but will also allow much construction to proceed as planned. The Board shall, therefore, grant variance, subject to certain conditions.

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

ORDER

It is the Order of the Illinois Pollution Control Board that:

1. The County of DuPage is hereby granted variance from Rules 203(d) and 402 of Chapter 3: Water Pollution Control Rules and Regulations as they relate to dissolved oxygen for the purpose of construction of a temporary wastewater treatment plant known as the Interim Knollwood Wastewater Treatment Plant subject to the following conditions:

a. The interim plant shall have a design average flow of at least 0.25 million gallons per day and shall meet the requirements of the Illinois Recommended Standards for Sewage Works (effective March 31, 1980).

b. The interim plant shall be operated by the DuPage County Department of Public Works under the direction of a properly certified operator.

c. The effluent discharged from the interim plant shall not exceed levels of 20 mg/l of BOD<sup>5</sup> and 25 mg/l of suspended solids and shall contain a minimum of 5 mg/l of dissolved oxygen, all levels to be determined on the basis of 30-day averages.

d. The interim plant shall not exceed the limitations set by Chapter 3: Water Pollution Control Rules and Regulations for all parameters with the exception of dissolved oxygen.

e. The County of DuPage shall obtain all necessary permits from the Illinois Environmental Protection Agency.

f. Adequate sludge handling and disposal facilities shall be provided at the site of the interim treatment plant so as not to cause or threaten to cause violations of the Illinois Environmental Protection Act or the Illinois Pollution Control Board's regulations.

g. The County of DuPage shall obtain any necessary modifications pursuant to applicable areawide planning requirements.

h. Within 90 days after final inspection and approval by the Illinois Environmental Protection Agency of the permanent Knollwood Wastewater Treatment Plant, operation of the interim plant shall terminate and the interim plant shall be dismantled.

i. Within 45 days of the date of this Order, the County of DuPage shall execute and forward to the Illinois Environmental Protection Agency, Variance Unit, 2200 Churchill Road, Springfield, IL 62706, an executed Certification of acceptance and agreement to be bound by all conditions of this variance. This forty-five day period shall be stayed if Petitioner seeks judicial review of this variance pursuant to Section 41 of the Environmental Protection Act. The form of said Certification shall be as follows:

CERTIFICATION

I, (We,) \_\_\_\_\_, having read the Order of the Illinois Pollution Control Board in PCB 80-122 dated \_\_\_\_\_, understand and accept the Order and agree to be bound by all of its terms and conditions.

\_\_\_\_\_, Petitioner

\_\_\_\_\_, Authorized Agent

\_\_\_\_\_, Title

\_\_\_\_\_, Date

2. Variance from Rules 962(a) and 902(i)(1) of Chapter 3: Water Pollution Control Rules and Regulations is denied as unnecessary.

3. The Board shall retain jurisdiction in this matter.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the \_\_\_\_\_ day of \_\_\_\_\_ by a vote of \_\_\_\_\_.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board