

ILLINOIS POLLUTION CONTROL BOARD  
August 7, 1980

CITY OF MENDOTA, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-94  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

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

Petitioner, City of Mendota (City), filed a Petition for Variance on May 5, 1980, requesting relief from Rule 1201 of Chapter 3: Water Pollution, which requires supervision of the City's sewage treatment plant by a certified Class I operator. The Illinois Environmental Protection Agency (Agency) filed its recommendation that the variance be granted on June 6, 1980. Hearing, initially requested, was properly waived after that recommendation.

City's Sewage Treatment Plant (STP) was upgraded to a Class A plant on April 1, 1980, therefore necessitating the supervision of a Class I operator. The plant is currently supervised by a Class II operator.

City states that it has been unable to secure a Class I operator because of the short supply of qualified persons and a current lack of municipal funds to offer a reasonable salary. However, City further states that these problems should be overcome within a year, and that if a variance is not granted, the subsequent closing of the STP would harm its citizens.

The Agency recommends a variance grant. The Board does not agree that denial of a variance would cause a STP shutdown. While no financial facts are given, the Board will grant the variance.

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

ORDER

City of Mendota's Petition for Variance from Rule 1201 of Chapter 3: Water Pollution, is hereby granted subject to the following conditions:

1. The variance shall be granted until July 30, 1981, or until employment of a Class I operator is obtained, whichever occurs first; and
2. Petitioner shall continue cooperating with the Illinois Environmental Protection Agency in order to achieve proper operation and maintenance for compliance with Chapter 3 and its NPDES permit.
3. Petitioner shall report quarterly to Illinois Environmental Protection Agency on progress.

CERTIFICATION

The City of Mendota, Petitioner, hereby accepts and agrees to be bound by all of the terms and conditions applicable to it in the Order of the Pollution Control Board in PCB 80-94, dated August 7, 1980.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the the above Opinion and Order was adopted on the 7<sup>th</sup> day of August, 1980 by a vote of 5-0.



Christan L. Moffett, Clerk  
Illinois Pollution Control Board