

ILLINOIS POLLUTION CONTROL BOARD  
November 29, 1973

CARLINVILLE COMMUNITY )  
UNIT SCHOOL DISTRICT #1 )  
v. ) PCB 73-392  
ENVIRONMENTAL PROTECTION AGENCY )

MR. EDWARD R. PHELPS, appeared for the School District  
MR. FREDERICK C. HOPPER, Assistant Attorney General, appeared  
for the Environmental Protection Agency

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

Petition for variance from a sewer ban imposed by the Environmental Protection Agency ("Agency") on June 1, 1973 was filed with the Board on September 17, 1973. No public hearing was held. The school district is in Macoupin County.

The verified petition states that a \$1,585,000 bond issue was adopted by school district voters with a 1356 to 679 vote on March 10, 1973 to alter and enlarge the Junior-Senior High School, the North Elementary School and the South Elementary School; all in Carlinville. After the referendum and issuance of letters of intent to contract for construction of the additions, the Agency on June 1, 1973 in a letter to Carlinville Mayor Pete Balotti placed a sewer ban on the City.

A 4-inch and a 6-inch sewer connection are needed for the North and South schools respectively. The Junior-Senior High is not the subject of the petition.

The first day enrollment figures for the two elementary schools show 558 pupils in the current year as compared to 628 a year previous, for a decrease of 70.

The Agency recommendation was filed October 24, 1973. It points out that the City of Carlinville sewage treatment plant is designed for 5500 P.E. and 550,000 gpd. Present water usage is 630,000 gpd but the period is not given. Monthly reports from the City for the year ended February 1, 1973 show an average of 964,000 gpd during that period. No effluent data are given.

The Agency recommends relief from Rule 912(b) of the Water Pollution Regulations since the City cannot certify that its sewage plant can adequately treat the wastewater to be added by the school building additions. The Agency also states that the school district's petition for variance is premature in that it has not applied for construction permits and should thus be dismissed.

We grant the variance as to Rules 921(a) and 912(b) to the Carlinville Community Unit School District #1. The record in the case is not as good as we would like in the following areas: the Agency gives annual flow data for the year ending February 1, 1973 in a recommendation prepared October 19, 1973 -- surely more recent annual flow data could have been supplied to the Board; no effluent data from the plant are given and we do not know if the present flow does in fact put the effluent above required standards; and finally no mention is made of the condition of the receiving stream -- we do not know if it is dead, dying or possessed of vast assimilative capacity.


The Agency's argument that the school district's petition is premature seems ill-founded. If we accept it and the district then applies for permits and is then denied, nothing is gained and valuable time is lost. We feel that applicants ought not be "run around the bush" but ought to be granted their variance (if a grant is deserved) the first time up. All of us have too much to do to re-examine the same petitions a second time.

ORDER

1. Variance is granted from Rules 912(b) and 921(a) to the Carlinville Community Unit School District #1 to permit it to connect its North and South Elementary schools to the sanitary sewer system and to permit it to construct sewer extensions to serve these buildings, if necessary.
2. The School District shall make proper application for all permits required by the Agency.

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 5<sup>th</sup> day of November, 1973 by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board