

ILLINOIS POLLUTION CONTROL BOARD
March 2, 1972

VILLAGE OF LENA)
)
)
 v.) PCB 71-384
)
 ENVIRONMENTAL PROTECTION AGENCY)
)

Concurring Opinion by Jacob D. Dumelle

While I was not present at the meeting at which the 4-0 vote was taken because of active duty with the Navy I would have voted to grant the variance to the Village of Lena.

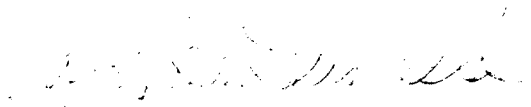
However, on March 7 the Board adopted the new Water Quality Standards and moved back the July 1972 date quoted in Mr. Kissel's opinion to December 31, 1973. Thus the variance today would be moot except that having been enacted it triggers Sec. 46 of the Environmental Protection Act and permits non-referendum bonds for this project.

Now that ample time exists for the Village of Lena to meet the new date I would recommend that the Village hold a referendum on this bond issue. Long term debt, especially for a small village, is not something to rush into. The public debate and examination that a referendum generates are valuable means of informing the public. And sometimes, cheaper or better ways to accomplish the ends of the Act and of this Board may be unearthed.

The new Water Quality Regulations in Sec. 404(c) and (f) also provide that the Village of Lena (if it has less than 2500 P.E. influent waste load) may use a lagoon as its third stage of treatment if water quality standards are not violated. This may be a less expensive method of treatment than the moving bed filter described. And the Village may also discharge an effluent of 10 mg/l BOD and 12 mg/l suspended solids instead of the 4 mg/l BOD and 5 mg/l suspended solids it is now ordered to meet. Again, it has only to not violate water quality standards and to file a satisfactory Project Completion Schedule, etc. to qualify for the lesser standards.

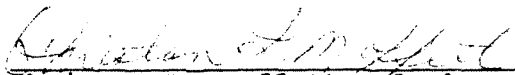
I do not know if the Village of Lena can qualify for the less exacting effluent standards. But it should be aware that it may

qualify and if it does should petition this Board for release from the March 2 order.



Jacob D. Dumelle
Board Member

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Concurring Opinion was filed on the 7th day of March, 1972.



Christan L. Moffett, Clerk
Illinois Pollution Control Board