

ILLINOIS POLLUTION CONTROL BOARD
October 17, 1972

LAKE FOREST SAVINGS AND LOAN)
ASSOCIATION)
) #72-402
)
v.)
)
ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.)

Lake Forest Savings and Loan Association has filed a petition for variance from our North Shore Sanitary District sewer connection ban order, LWV, et al v. NSSD, #70-7, etc. 1 PCB 369, (March 31, 1971) to enable construction of a two-story, 5,000 square foot structure in Lake Forest, which will discharge into facilities tributary to the Lake Forest sewage treatment plant. At one time, the property was improved with a single-family residence and a dry cleaning plant, which employed twelve persons. These structures have been demolished. Petitioner represents that it will be discharging less waste into the sanitary district facilities than the former owners of the property, having fewer employees, and will not discharge chemical fluids presumably used in the cleaning plant operation.

The petition fails to state when the former structures were demolished, which information is vital in the determination of whether a variance should be granted. Specifically, we will need to know whether the demolition took place before or after the imposition of our sewer connection ban order of March 31, 1971. Such facts are germane to a determination of whether a variance would be needed at all, for we have said our sewer ban order does not forbid connections that replace existing sources and do not result in a net increase in the organic or hydraulic load to a given sewer or treatment facility. See State National Bank of Evanston v. Environmental Protection Agency, #72-176, 4 PCB 499 (May 10, 1972). Cf. John S. Wineman, et al v. Environmental Protection Agency, #72-310, 5 PCB (October 17, 1972).

Petitioner is ordered to file this information with the Environmental Protection Agency and with the Pollution Control Board within ten days from the date of this Order. The Environmental Protection Agency is ordered to file its recommendation within twenty-one days from the receipt of the information sought.

The statutory period for the granting of the variance shall commence upon the receipt of the foregoing information from petitioner.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 11th day of October, 1972, by a vote of 3 to 0.

Christan L. Moffett