

ILLINOIS POLLUTION CONTROL BOARD
June 14, 1973

MRS. PAMELA TREPANIER)
)
) #73-203
 v.)
)
 ENVIRONMENTAL PROTECTION AGENCY)

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

Petitioner seeks a variance from our Order in League of Women Voters v. North Shore Sanitary District, #70-7, 12, 13, 14, 1 PCB 369 (March 31, 1971), in order to obtain a sewer connection permit for an existing single-family residence located in Waukegan, which would be tributary to the Clavey Road sewage treatment plant.

The Agency has determined that the sewer to which petitioner's proposed connection would be tributary has adequate capacity to transport petitioner's waste water volume.

Petitioner's home is presently serviced by a septic tank system which, although recently repaired, is still inadequate. The Lake County Health Department has advised the Agency that although a new seepage field had been installed because of neighbor complaints concerning surface discharge from petitioner's original septic system, the new septic system was effective only for a few months and the discharge problem recurred. The topography and soil conditions are such that adequate operation of petitioner's septic system seems unlikely, irrespective of any repair or renovation.

It would appear that the continued operation of petitioner's septic system would constitute a health hazard and it has been so characterized by the Lake County Health Department. This is particularly a consequence of the existence of nearby individual wells which are subject to contamination by petitioner's septic discharges.

We believe the hardship on the community is far greater in denying the variance than in allowing it and, accordingly, we grant the petition for variance as requested allowing petitioner's property to be connected to sewer facilities tributary to the Clavey Road sewage treatment plant. See Elsa J. Miller v. Environmental Protection Agency, #73-43; James Clark v. Environmental Protection

Agency, #73-38; Winsor v. Environmental Protection Agency, #71-334;
and Robert J. Bartell v. Environmental Protection Agency, #72-382.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Pollution Control Board, certify
that the above Opinion and Order was adopted on the 14th day of
June, 1973, by a vote of 3 to 1.

Christan Moffett, Clerk