ILLINOIS POLLUTION CONTROL BOARD May 17, 1972

WINSLOW H. ADAMS, JR. et al.) v.) v.) ENVIRONMENTAL PROTECTION AGENCY)

Opinion & Order of the Board (by Mr. Currie):

This petition seeks a variance to allow use of a new second bathroom in an existing home in Lake Bluff despite our ban on connection of new waste sources to overloaded treatment plants in the North Shore Sanitary District (League of Women Voters v. NSSD, #70-7 (March 31, 1971)). The verified petition makes clear that no increase in the number of persons living in the home is contemplated, and on this basis the Agency recommends a grant on the ground that there is no reason to believe use of the new bathroom would result in any increased load. We have granted such permission before, see Haight v. EPA, #71-93 (June 28, 1971), and we believe we should avoid the inconvenience of a variance proceeding for future cases like these by construing our order not to forbid connections such as this one which are not expected to increase the discharge to the sewer. Cf. Evanston Bank v. EPA, #72-176 (May 10, 1972). No variance being necessary in this case, the petition is hereby dismissed as moot.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion & Order this 17^{-1} day of 1972, by a vote of 4-0.

Christian Moffett