

ILLINOIS POLLUTION CONTROL BOARD

January 6, 1972

In the Matter of )  
 )  
DU PAGE COUNTY SEWAGE ) # R70-17  
REGIONALIZATION )

CHAPTER IV: WATER POLLUTION  
PART 11: Regional Sewage Treatment

1101 Preamble: The proliferation of numerous small sewage treatment plants in densely populated and rapidly developing DuPage County constitutes a severe and intolerable impediment to the correction of present water pollution and a continuing threat of additional pollution in the future. Not only do the higher unit costs of constructing and operating small plants waste finite dollars and therefore contribute to pollution; small plants cannot produce as satisfactory an effluent as can larger plants, because they cannot provide certain types of sophisticated treatment, because they cannot practically be adequately supervised or maintained, and because they cannot provide adequate standby treatment capacity to prevent pollution in the event of a malfunction. The establishment or continued operation of sewage treatment plants so small as to exhibit these deficiencies, in areas such as DuPage County where the population density is high enough to make larger plants economically feasible and indeed economically far more desirable, is contrary to the anti-pollution policy of the Environmental Protection Act. The nine service-area concept for DuPage County proposed by the Northeastern Illinois Planning Commission sets forth a reasonable geographical basis upon which to base a regionalization scheme in DuPage County and the Board endorses this concept in principle. All regionalization efforts made under this Chapter shall be directed toward a reduction in the number of sewage treatment facilities at the earliest reasonable deadline. A series of regional plants, well-operated and strategically located, will greatly minimize the pollutorial load upon the DuPage County streams and assure conformance with the Environmental Protection Act.

In order to accomplish the above goals, the Board will appoint a Hearing Officer for each of the nine regions; he shall bring the various Parties in that region together; either jointly or individually, the Parties shall submit a Regional Plan to the Hearing Officer; the Hearing Officer shall conduct hearings on these submissions and make recommendations to the Board; based on these recommendations, the Board shall determine a program for each region, and, after publication, give final approval to a regional wastewater treatment program for DuPage County.

- 1102 Regions. The nine regions in DuPage County shall be as designated and approved by the Northeast Illinois Planning Commission October 21, 1971, subject to such changes as the Board shall make as a result of hearings held under this Part. Such designation is depicted on the DuPage County map which is made a part of and attached to this Chapter. The two areas marked for the National Accelerator Laboratory site and the Bartlett-Hanover Park Wastewater Section shall for purposes of this regulation be considered as part of the northwest region indicated on the map.
- 1103 Parties. The County of DuPage, all municipalities, sanitary districts, and public utilities presently having responsibility for the treatment of sewage shall be Parties in these proceedings. The failure of any such Party to appear or participate shall bind that Party as to any proceedings or rulings made by the Hearing Officer of the Board under this Part.
- 1104 Hearing Officers. The Board shall designate a Hearing Officer for each of the nine regions. It shall be the responsibility of the Hearing Officer, as a representative of the Board, to bring together all the Parties within the particular region. The Hearing Officer shall have all such powers as are granted to hearing officers under Part II of the Procedural Rules and Regulations of the Board.
- (a) Upon appointment, the Hearing Officer shall notify all Parties within the region, the Environmental Protection Agency, and the Northeastern Illinois Planning Commission of his intent to hold public hearings on the implementation of this Part.
  - (b) Within thirty (30) days of the effective date of this Part, the Hearing Officer shall schedule an informal meeting with all Parties within the particular region.

- (c) The Hearing Officer shall schedule such subsequent pre-hearing conferences, meetings, and public hearings as may be necessary to the preparation of a Regional Plan for the particular region.

1105 Submission of Regional Plan. On or before April 1, 1972, all Parties within a particular region shall file with the Environmental Protection Agency and with the Hearing Officer for that region a "Regional Plan" for the regionalization of sewage treatment facilities within that region. The Parties may submit the Regional Plan either jointly or individually. All Parties shall attempt to structure the Regional Plan in substantial accordance with the Regional Wastewater Plan approved by the Northeastern Illinois Planning Commission, October 21, 1971.

1106 Content of Regional Plan. The Regional Plan to be submitted under Section 1105 shall provide the following:

- (a) A "phase-in, phase-out" schedule for each of the plants which, inter alia, shall take into account the technical feasibility and economic reasonableness of continuing service at each of the affected plants;
- (b) A description of the location, capacity, treatment facilities, cost, and service area for the proposed plant(s) that is (are) to accept and treat the sewage from the geographical area involved;
- (c) A firm commitment by one or more responsible governmental agencies to construct and operate the proposed plants, together with a firm schedule for design, award of contracts, commencement of construction, full operation, and abandonment of obsolete plants;
- (d) A firm commitment by one or more responsible governmental agencies to construct and maintain any interceptor sewers made necessary by the Regional Plan;

- (e) A firm commitment by the affected governmental agencies for the financing of the necessary facilities, through taxation, user charges, revenue and general obligation bonds, special assessment, connection charges, loans, grants, contracts, or otherwise;
- (f) An attorney's opinion affirming and explaining the authority of the responsible governmental agencies to carry out their undertaking as described;
- (g) Assurance that the plan conforms with Rule 1105 of this Chapter and with all applicable regulations respecting air and water pollution and the disposal of solid waste;
- (h) Assurance as to what interim measures will be provided regarding sewage treatment, including water quality standards;
- (i) Assurances that such a Plan is consistent with County and regional comprehensive growth and land-use planning.

1107 Recommendations of Hearing Officer.

- (a) Upon receipt of the Regional Plan, the Hearing Officer shall schedule such further hearings as may be necessary in order for him to formulate his recommendations to the Board under this Chapter.
- (b) By July 1, 1972, the Hearing Officer in each region shall submit to the Board his recommendations as to how the Board should implement the regional concept in the particular region. The Hearing Officer's recommendation shall:
  - (1) Detail the phasing out of plants;
  - (2) designate plants as either interim, remote or regional facilities;
  - (3) designate the governmental agency(s) which will assume responsibility for sewage treatment;

- (4) evaluate the need for extensions to interceptor sewer lines before regionalization can be realized;
  - (5) list facilities which must be constructed or expanded, and to what capacity at what time, and;
  - (6) state any additional findings of facts or conclusions of law which may be necessary for the Board to evaluate the Regional Plans and recommendations of the Hearing Officer, and to make a decision regarding the program to be adopted for any one region, under Section 1108, herein.
- (c) In formulating his recommendations to the Board, the Hearing Officer shall consider:
- (1) The economic reasonableness and technical feasibility of the various regional alternatives;
  - (2) the assurances of service offered by the Parties, including their willingness to assume a greater responsibility for sewage treatment;
  - (3) the need for future service in areas presently unsewered;
  - (4) the need for continued service by smaller plants in areas remote from regional treatment facilities.
- (d) A transcript of the proceedings and the original exhibits shall be transmitted to the Board.

1108 Issuance of Regional Program. After receipt of the recommendations from the Hearing Officer, the Board shall issue a Regional Program for each of the nine regions, which Program shall provide specific findings as to each region as to how regionalization will be accomplished. This Regional Program, inter alia, shall include the following:

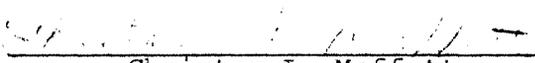
- (a) Designate those plants to remain in service, to be constructed, or expanded as regional plants

and those plants to be designated as interim facilities, with specific "phase-in, phase-out" dates where applicable;

- (b) Designate in each of the nine regions the governmental agency(s) responsible for sewage treatment;
  - (c) Delineate areas of future growth within DuPage County, making provision for regional sewage treatment plant expansion when necessary;
  - (d) Provide for a sufficient transport system under the control of a responsible governmental agency in order to carry sewage to the regional treatment plant;
  - (e) Evaluate the ability of each regional sewage treatment plant to handle its present and projected capacity consonant with predicted growth patterns within DuPage County;
  - (f) Provide that presently unserved areas are guaranteed service on a reasonable cost basis and without the imposition of unreasonable conditions before hookup is allowed.
- 1109 Publication by the Board. Upon the issuance of a regional program by the Board, it shall give public notice in accordance with Board Procedural Rules 211 and 212.
- 1110 Public Notice. All proceedings held under this Part shall be public. Public notice shall be given of all proceedings in accordance with Board Procedural Rule 205.
- 1111 Unserviced Areas. The Hearing Officer and the Environmental Protection Agency shall assure that those areas presently unserved by any sewers or sewage treatment facility have their interests fully considered in these proceedings.
- 1112 The Role of the Agency. The Environmental Protection Agency shall participate in each of the proceedings in the nine regions. Within thirty (30) days of the filing of a Regional Plan by Parties, the Agency shall file a stated written recommendation for each region and for each treatment plant.

- 1113 Future Construction. No permit shall be granted for the construction or operation of any additional sewage treatment plant in DuPage County, except for interim facilities in the event of a demonstrated emergency, that does not conform with the principles of the Regional Program described in Section 1108 of this Chapter, or that is of capacity so small as to create an insignificant risk of inadequate treatment, according to the policies expressed in Rule 1101 of this Chapter.
- 1114 Other Regulations Preserved. Nothing in this Part shall relieve any person from the obligation to comply in all respects with any existing or future regulations, including but not limited to the water quality standards and implementation plan for streams in DuPage County.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Order this 2 day of January, 1972, by a vote of 4-0.

  
\_\_\_\_\_  
Christan L. Moffett,  
Clerk of the Board

