

ILLINOIS POLLUTION CONTROL BOARD
July 12, 1973

MRS. PATRICIA PATRICK

v.

ENVIRONMENTAL PROTECTION AGENCY

PCB 73-188

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

Petition was received May 4, 1973 from Mrs. Patricia Patrick, a widow, asking for variance to connect to the sewer at a "new home-site" at 171 East Stone Avenue in Lake Forest.

The petitioner does not give the date or cost of the lot purchase or the date and extent of commitment to purchase a "Capp Home." No hearing has been held on this matter.

The Agency's recommendation filed June 5, 1973 points out that the sewer to which connection is desired is tributary to the Clavey Road Plant which is currently not meeting the effluent standards set by the Board in PCB 71-343. Denial is recommended.

Mrs. Patrick's hardship, in addition to the commitment of funds not detailed is that she is currently paying \$380 per month rent for her apartment and must work two jobs to meet her commitments. No data are given as to possible Social Security payments for the two school age children and no reason is given as to why an apartment at a far lower rental cost is not obtainable.


The Board has hoped to decide this case in the larger context of a pending North Shore Sanitary District case, PCB 73-134. However, hearings have been delayed and the matter of the entire sewer ban in the District tributary to Clavey Road cannot be decided prior to the mandatory decision date for the instant case. Further information is needed in this case. The petitioner may wish to examine the recently decided Bereskin case (PCB 73-143), decided June 28, 1973, and determine whether its remedy is appropriate in her case.

We deny the variance without prejudice to filing a new petition which would detail the inadequately covered points mentioned above. To find for the variance based upon the record before us would be akin to repealing the sewer ban.

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ORDER

The variance is denied without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 12th day of July, 1973 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board