

ILLINOIS POLLUTION CONTROL BOARD
January 31, 1972

NORTH SHORE SANITARY DISTRICT)
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)
 v.) PCB 71-343
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 ENVIRONMENTAL PROTECTION AGENCY)
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Dissenting Opinion (by Mr. Dumelle)

The grant of this variance by the 4-1 majority is in my opinion a snare and a delusion.

I think it is a delusion to think that the North Shore Sanitary District can possibly purchase the land (with condemnation probably being required), get chlorination equipment delivered and installed and operating adjustments made at the Gillette Avenue and Water Street overflows all in time for the 1972 swimming season. One has only to look at other facets of the District's construction program which in the words of the majority opinion states, "The implementation order of the Board in this case was entered scarcely seven months ago and already the District is as much as six or eight months behind on some of the major projects" (p. 9) to realize that the District's track record of being on time is not good. And depending upon the speed of the eminent domain process it is entirely possible that the 1973 swimming season will be missed as well. If that is the case then \$350,000 will have been spent at Water Street and Gillette Avenue to open the beaches in 1974 when they most probably will be opened anyway at that time without this expenditure. Funds are not so plentiful that they should be wasted.

Beyond the dates and costs of this dubious grant I feel the majority has created a snare for the public.

True the lake bacterial levels may be reduced to present standards by this required chlorination of sewage overflows. But the virus levels may not significantly decrease. Thus the Board may unwittingly be the agency encouraging the public to swim in disease creating viruses. One virus is enough to cause an infection. See Dr. Gerald Berg, Advanced Waste Treatment and Water Reuse Symposium, Chicago, February 23, 1971, (R. 140). And by the same author, "But viruses are capable of producing infection in man when ingested in the smallest numbers capable of producing infection

in susceptible cell cultures, usually our most sensitive indicators. Thus, the removal of all viruses from any waters that man might consume is justified." (See "Removal of Viruses from Water and Wastewater" in Thirteenth Water Quality Conference on "Virus and Water Quality: Occurrence and Control", February 15-16, 1971, University of Illinois, Urbana).

The viruses present in raw sewage (such as exudes from the Water Street and Gillette Avenue overflows) are well documented. They include the viruses which cause:

meningitis	heart inflammation
hepatitis	diarrhea
encephalitis	atypical pneumonia
polio	cancer (possibility)

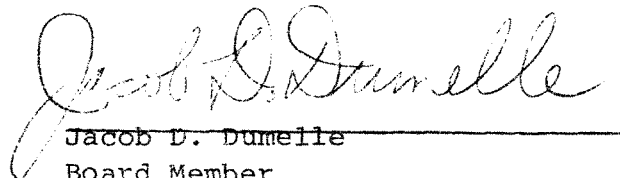
(See Supplemental Statement, School Building Commission v. EPA, PCB 71-247, October 26, 1971).

It is prudent public policy to keep children and adults from exposure to these ills. I don't feel that one season of swimming for thousands is worth one case of meningitis to a child with his or her whole life ahead of him.

Had the Board ordered ozonation at Water and Gillette Streets then I could not have this objection. Ozone is far superior to chlorine in its virus killing powers and is widely used in Europe and Canada. But the Board did not order ozonation and acted in advance of receiving ozone costs from the District. The American Society of Civil Engineers in February 1970 published an "Engineering Evaluation of Virus Hazard in Water" which is contained as an appendix to the Institute for Environmental Quality's "Task Force Report on Viruses" issued December 15, 1970 bears out what has been said above, stating, "Absence of coliform, however, may not mean that virus is absent. The coliform index, therefore, while a good laboratory tool is not a reliable index for viruses" (p. 123). Thus I would have not required the \$350,000 expenditure at Water Street and Gillette Avenue.

I would have granted the variance for a much greater number of dwelling units, perhaps 8,000 in all, in order to permit advance planning and financing and materials purchase, etc. The Clavey Road Plant effluents are now of such good quality that I would have not required the polymer and chemical feed equipment there which will be seldom, if ever used, and thus some \$75,000 could have been saved in capital costs.

In summary, I would have given a much more generous allowance of dwelling units at a far reduced cost. The majority has opted for a little building and virus-laden beaches at an excessive cost. I would have opted for much more building, safety from viruses -- all at a reasonable cost.


Jacob D. Dumelle
Board Member

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Dissenting Opinion was filed on the 18th day of February, 1972.


Christan L. Moffett, Clerk
Illinois Pollution Control Board

