

ILLINOIS POLLUTION CONTROL BOARD

October 25, 1973

IN THE MATTER OF:)
)
THE PETITION FOR VARIANCE OF:) PCB 73-321
)
WILLIAM ROMANO)

OPINION AND ORDER OF THE BOARD (by Dr. Odell)

The Petitioner, William Romano, filed a petition for variance which was received by the Illinois Pollution Control Board on August 6, 1973. The Petitioner requests a variance from Order 7 of League of Women Voters v. North Shore Sanitary District, PCB 70-7, 12, 13, and 14, to obtain a sewer connection for a proposed single-family dwelling to be built in Gurnee, Illinois.

The Petitioner sold his home in Deerfield, Illinois, in November, 1972, in order to work at Cherry Electric in Gurnee, Illinois. He is now living in an apartment with his family. In June, 1973, he purchased a vacant lot in Gurnee. An existing sewer is within 90 feet of his lot. For tax reasons, he wants to invest in a new home on the lot within one year after he sold his previous home. When he purchased the vacant lot in Gurnee he thought that sewer permits would be released in August or September, 1973. In his letter of August 1, 1973, to the Pollution Control Board, the Petitioner stated that (a) he had not been able to obtain a sewer connection permit from the North Shore Sanitary District, and (b) they suggested that he write to PCB.

On September 18, 1973, the Illinois Pollution Control Board received from the Environmental Protection Agency a recommendation concerning the variance request from William Romano.

The proposed sewer connection would be tributary to the Clavey Road sewage treatment plant, which is owned and operated by the North Shore Sanitary District.

Order 7 of PCB 70-7, 12, 13, and 14, of March 31, 1971, stated that: "The District shall not permit any additions to present sewer connections, or new sewer connections, to its facilities until the district can demonstrate that it can adequately treat the wastes from those new sources so as not to violate the Environmental Protection Act, or the Rules and Regulations promulgated thereunder."

After improvements at the Clavey Road plant, the District was permitted to add 1,677 living units (North Shore Sanitary District v. Environmental Protection Agency, PCB 71-343, March 2, 1972) to the sewers tributary to the Clavey Road plant for a period of one year after January 31, 1972, (PCB 71-343, January 31, 1972) on the condition that: "The District shall maintain a monthly average effluent of 20 mg/l BOD₅ and 25 mg/l suspended solids at the Clavey Road plant."

In the Environmental Protection Agency report on the Romano case, a summary of the Clavey monthly operational reports from August, 1972, through June, 1973, shows that the Clavey Road plant has failed to consistently maintain an effluent quality of 20 mg/l BOD₅ (this standard was met in only one, January, 1973, of eleven months reported), which was specified in the previous paragraph (PCB 71-343, January 31, 1972). Suspended solids were above 25 mg/l during one of the eleven months included in the Agency report.

The Environmental Protection Agency believes that "the project to expand and upgrade the Clavey plant will be completed by mid-September (1973). By that date, the plant should be able to provide secondary treatment for 10 MGD on a design average flow basis. The Agency notes, however, that when the Clavey plant can treat 10 MGD, the three lakefront plants (Lake Forest, Lake Bluff, and Carey Avenue) will be diverted to Clavey. . . . When the lakefront plant flows are combined with present flows, the total flow at the Clavey plant will be in excess of 10 MGD."

On October 24, 1973, Mr. John T. Bernbom, Attorney in the Enforcement Section, Division of Water Pollution Control, Illinois Environmental Protection Agency, sent to the Illinois Pollution Control Board more up-to-date information concerning the operation of each of the North Shore Sanitary District plants. This report included the following information:

Clavey Road plant

Ten million gallons per day capacity is presently possible. Full secondary treatment (18 MGD) expected by March 1, 1974. Advanced treatment by September 1, 1975.

<u>Month</u>	<u>Flow (MGD)</u>	<u>BOD (mg/l)</u>	<u>TSS (mg/l)</u>
August 1973	6.33	11	13
July	6.34	19	23
June	7.64	23	20
May	8.19	30	31
April	10.31	28	22
March	9.21	35	21
February	6.87	33	20
January	7.56	18	17
December 1972	7.30	21	12
November	7.63	35	13
October	7.89	30	16
September	10.41	41	14
Average	7.97	27	19

Lake Bluff plant

Dry weather flows currently being pumped to Clavey Road plant. Total flows to be diverted to Clavey Road plant no sooner than August 1, 1975. Average monthly flow = 0.35 MGD, January through August, 1973. Average monthly BOD = 116 mg/l, June through August, 1973. Average monthly TSS = 110 mg/l, June through August, 1973.

Carey Avenue plant

Dry weather flows will be pumped to Clavey Road plant in November, 1973. Total flows to be pumped to Clavey Road plant by July 1, 1974. Average monthly flow = 1.29 MGD, January through August, 1973. Average monthly BOD = 74 mg/l, June through August, 1973. Average monthly TSS = 160 mg/l, June through August, 1973.

Lake Forest plant

Dry weather flows will be pumped to Clavey Road plant in November, 1973. Total flows to be pumped to Clavey Road plant by May 1, 1975. Average monthly flow = 1.17 MGD, January through August, 1973. Average monthly BOD = 60 mg/l, June through August, 1973. Average monthly TSS = 90 mg/l, June through August, 1973.

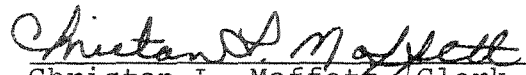
The above information for the Clavey Road plant indicates that (a) its performance has improved during recent months, (b) it can efficiently handle a flow of 10 MGD now, and (c) it can handle up to 18 MGD by March 1, 1974.

On the basis of these facts and the information given by the Petitioner, it is the judgment of the Board that a variance can be granted in the instant case to obtain a sewer connection so that the Petitioner can proceed with construction. It appears that this can be done without harming the environment, especially since a further increase in sewage handling capacity will be available at the Clavey Road plant at about the time the Petitioner's home may be completed.

ORDER

It is the Order of the Pollution Control Board that the petition for a Variance be and is hereby granted.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 26th day of October, 1973, by a vote of 5 to 0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board