

ILLINOIS POLLUTION CONTROL BOARD
March 8, 1990

IN THE MATTER OF:)
)
PETITION OF THE CITY OF)
PERU FOR EXCEPTION TO) PCB 86-1
COMBINED SEWER OVERFLOW) (CSO Exception)
REGULATIONS)

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a joint motion to modify a Board order, filed on February 27, 1990 by the City of Peru (Peru) and the Illinois Environmental Protection Agency (Agency). Peru and the Agency ask the Board to modify its April 1, 1987 order which granted Peru a temporary exception from combined sewer overflow (CSO) regulations found at 35 Ill. Adm. Code 306.305(a) and (b). This order required Peru to file an amended petition for permanent exception on or before March 1, 1990, after Peru gathered "adequate information" on the environmental impacts of the overflows after Peru completed its proposed improvements to its wastewater collection system and wastewater treatment plant. The Board's order allowed two years for gathering this information on environmental impacts. On November 19, 1987, the Board granted Peru and the Agency's joint motion for modification and extended the construction deadline of July 1, 1988 to November 1, 1989. The instant motion states that Peru completed construction of the improvements by that November 1 deadline, but points out that only four months have passed since that deadline. Therefore, Peru points out that it cannot meet the Board's desire for two years of information on the environmental impacts. Peru states that it has diligently monitored its CSOs and has submitted its report of that monitoring to the Agency, as required by the temporary exception. Peru also notes that the Agency desires, and Peru agrees, that Peru will submit a plan of study for the CSO post-operational data monitoring before March 5, 1990. Therefore, Peru and the Agency ask the Board to extend the date for filing an amended petition until November 1, 1991, to allow for the gathering of two years of environmental information to support the amended petition.

The joint motion to modify the Board's April 1, 1987 order is granted. Peru shall file its amended petition for exception on or before November 1, 1991. If the amended petition is not filed by November 1, 1991, this temporary exception will expire on that date. Additionally, if Peru has not already done so, Peru is directed to submit its plan of study for the CSO post-operational data monitoring to the Agency by March 19, 1990.

IT IS SO ORDERED.

J.D. Dumelle concurred.

I, Dorothy M. Gunn, hereby certify that the above Order was adopted on the _____ day of _____, 1990, by a vote of _____.

Board

Dorothy M. Gunn, Clerk
Illinois Pollution Control