

ILLINOIS POLLUTION CONTROL BOARD
February 8, 1990

IN THE MATTER OF:)
)
JOINT PETITION OF THE VILLAGE OF)
MORTON AND THE ILLINOIS ENVIRONMENTAL) PCB 85-212
PROTECTION AGENCY FOR EXCEPTION TO THE) (CSO Exception)
COMBINED SEWER OVERFLOW REGULATIONS)

ORDER OF THE BOARD (By R. C. Flemal):

The matter comes before the Board upon a Motion to Modify Board Order filed January 8, 1990 by the Village of Morton ("Morton"). The Illinois Environmental Protection Agency ("Agency"), as Joint Petitioner, filed a response to Morton's motion on January 25, 1990¹; the Agency recommends that Morton's motion be granted.

By Order of May 9, 1986 the Board had granted Morton an exception to 35 Ill. Adm. Code 306.305(h) pertaining to combined sewer overflows ("CSO"). Grant of the exception was subject to certain conditions, as specified in the May 9, 1986 Order. Among these is condition 1(a), which specified:

The Village shall provide excess flow treatment at Plant 2 for all excess flows reaching the plant, consisting of primary treatment followed by chlorine contact, including flow measurement and sampling, by September 30, 1988.

The deadline date of condition 1(a) has twice since been modified by the Board, initially by Order of May 5, 1988 which extended the deadline to September 30, 1989, and later by Order of February 2, 1989 which extended the deadline to September 30, 1990. The subject of Morton's instant motion is request that the deadline now be extended one additional year. The Agency requests that the deadline be extended for two additional years.

Justification for the Joint Petitioner's current as well and prior requests is based on Morton's continued need to collect data on the amount of flow reaching Plant 2 during storm events. These data are necessary in order to achieve proper sizing of the facilities needed for compliance with condition 1(a).

¹ The Agency had previously filed a motion to extend time to file its response. That motion was granted by Board Order of January 11, 1990.

Since April 1988, no storm-related excess flow events have occurred at Plant 2, in contrast to the three or four events per year recorded prior to the grant of exception. This change is apparently related to two factors. The first is that Morton has engaged in a combined-sewer separation program of sewers tributary to Plant 2, pursuant to condition 1(c) of the original grant of exception. This program has contributed to a reduction in excess flow frequencies and volumes to Plant 2. The second factor has been the drought conditions of the past several years, which has brought fewer storm events and lesser storm runoff related to lowered water tables and increased precipitation infiltration capacities.

Although Morton requests an additional single year within which to hopefully collect the needed flow data, the Agency opines:

The Agency agrees that Morton needs additional time to monitor and then build the excess flow treatment. However, the Agency believes a two year extension is more appropriate. Morton has demonstrated good faith by completing portions of the CSO work ahead of schedule. Early compliance with the separation requirements necessitate an extension of the monitoring period as overflow frequencies and flows have been reduced. *** Even if rainfall is normal in 1990, the water table may not reach its normal height in 1991. *** Also, the environmental impacts are minimal due to the lack of overflows. The two year extension is more effective and a more efficient use of the Board's time than granting a one year extension each year. The Agency believes that a two-year extension would be sufficient for monitoring and completion of Morton's project without need for further extensions. (Agency Response at par. 6)

The Board concurs with the Agency's analysis, and accordingly hereby grants extension to September 30, 1992 of the completion date specified in condition 1(a) of the Board's May 9, 1986 Order in this matter. All other requirements of that Order remain in full force and effect as issued.

IT IS SO ORDERED.

Board Member J.D. Dumelle concurs.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8th day of February, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board