

ILLINOIS POLLUTION CONTROL BOARD
July 9, 1981

CROOK DEVELOPMENT CO., et al.,)
)
) Petitioner,)
)
) v.) PCB 80-230
)
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

SUPPLEMENTAL ORDER OF THE BOARD (by J. Anderson):

Pursuant to Crook's Motion for Reconsideration of May 14, 1981, on June 10, 1981 the Board modified its Opinion and Order of April 16, 1981. The June 10, 1981 Order granted variance from Rule 962(a) of Chapter 3: Water Pollution to allow issuance of "construct only" sewer permits for 2 planned 16-unit apartment buildings; the April 16 Order had granted variance to allow issuance of construction and operation permits for one 16 unit building construction of which had already commenced.

On June 25, 1981, Crook moved for reconsideration of the June 10, 1981 Order, requesting issuance of a construction and operation permit for the second 16-unit building only. The Agency's July 7, 1980 Response supports grant of the requested modification, on the grounds that the increased loading from these 16 units would not cause basement back-ups or sanitary sewer overflows.

As the Board noted in its April 16, 1981 Opinion at p. 2, the Stookey plant was placed on restricted status because of an estimated tributary organic waste load of 108% of its design capacity. While there were no complaints about Stookey's sewer system, there were complaints about solids build-up from the plant washing out into the Prairie DuPont Creek during peak flow periods.

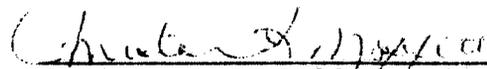
However, in its Recommendations of February 13 and March 24, 1981, both at p. 5, the Agency presents loading data concerning the plant which were admittedly tabulated during a period of light rainfall and which do not accurately reflect Stookey's infiltration/inflow problems. These figures would, however, indicate that the plant is organically loaded to 79% of its design capacity rather than to 108% capacity.

Given the admitted inconsistencies of the data, the Board cannot assign great weight to it. Until such time as the Stookey plant is removed from the Agency's restricted status list, or proof is submitted that the system will not in fact be operating beyond the design capacity, the Board declines to authorize operation of sewers for planned units. The Board reaffirms its Order of June 10, 1981.

IT IS SO ORDERED.

Mr. Anderson abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Supplemental Order was adopted on the 9th day of June, 1981 by a vote of 4/0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board