

ILLINOIS POLLUTION CONTROL BOARD  
April 22, 1976

PRAYER GARDEN CHURCH OF )  
GOD IN CHRIST, )  
 )  
Petitioner, )  
 )  
v. ) PCB 76-37  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by Mr. Zeitlin):

Petitioner Prayer Garden Church of God in Christ (Prayer Garden Church) originally filed a Petition for Variance on January 11, 1976. The Board, however, found that Petition inadequate for failure to show certain facts, and dismissed it in an Order entered January 12, 1976. Prayer Garden Church of God in Christ v. EPA, PCB 76-9 (Jan. 12, 1976).

The Petition in the instant case was filed with the Board on February 10, 1976, correcting the deficiencies in the earlier one. The Environmental Protection Agency (Agency) thereafter filed its Recommendation on March 8, 1976. No hearing was held in this matter.

The subject of this case is a new church building which the Prayer Garden Church has constructed at 2813-20th Street in North Chicago, Illinois. The new 200-seat facility will replace the present rented facilities at 711 McAlister Street, Waukegan, where the church has been housed during its five years of existence. As a result of increased membership, the present facility is inadequate. However, before the new church building can be used, the Prayer Garden Church must obtain a Variance from the Board's "sewer ban" Order in League of Women Voters v. North Shore Sanitary District, PCB 70-7, -12, -13, -14 (1971), in order to connect the sanitary facilities.

The new facility was scheduled for completion on April 1, 1976 and will, in addition to its 200-seat capacity, contain a small kitchen facility. The Petition estimates that the kitchen facilities will generate approximately 225 gallons of wastewater load per week, in addition to an estimated load of three gallons per person using the facilities. Although it is not clear how many persons will be using the church facility on other than Sundays, we assume from the pleadings that no great loads will be generated on weekdays. The Agency's Recommendation points out that most of those using the new church building will be from the area affected by the League of Women Voters sewer ban, and that the church building will discharge to adequate sewers tributary to NSSD's North Chicago treatment plant.

As of March 1, 1976, a portion of the flows from the North Chicago treatment plant had been diverted for testing to NSSD's new Gurnee treatment plant. The Agency's Recommendation stated that all flows from the North Chicago treatment plant, which had discharged to Lake Michigan, were to be diverted to Gurnee by approximately March 15, 1976.

In light of those facts we agree with the Agency that even though the Prayer Garden Church has not demonstrated a great hardship in the event this Variance were denied, that hardship must be weighed against minimal or nonexistent environmental harm which might result from a grant of the Variance. That being the case, we shall grant the Variance.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

ORDER

IT IS THE ORDER OF THE POLLUTION CONTROL BOARD that Petitioner Prayer Garden Church of God in Christ be granted a Variance from the Board's Order in League of Women Voters v. North Shore Sanitary District, PCB 70-7, -12, -13, -14, to allow a sanitary sewer connection for a church located at 2813 - 20th Street, North Chicago, Illinois.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 22<sup>nd</sup> day of April, 1976, by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board