

ILLINOIS POLLUTION CONTROL BOARD  
October 16, 1975

NORTH SHORE SANITARY DISTRICT,        )  
  Petitioner,                            )  
  )  
  v.                                        )     PCB 75-302  
  )  
ENVIRONMENTAL PROTECTION AGENCY,    )  
  Respondent.                            )

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

This case arises upon North Shore Sanitary District's (NSSD) petition, filed July 30, 1975, to lift the sewer ban presently imposed on its Clavey Road Sewage Treatment Plant or, in the alternative, for a one year extension of a current variance for additional connection permits. An Agency Recommendation in favor of lifting the sewer ban was filed September 4, 1975. No hearing has been held.

The history of this case dates back to the imposition of a comprehensive sewer ban in League of Women Voters, et al. v. North Shore Sanitary District, PCB 70-7, 12, 13, 14, 1 PCB 369 (1971). That sewer ban prohibited all new sewer connections to NSSD's facilities. In subsequent Board Order PCB 71-343, 3 PCB 541 (1972), as amended 3 PCB 697 (1972), the Board granted a variance to its original Order allowing NSSD to add 20,000 P.E. to its Clavey Road and Waukegan Plants. This variance was based upon a showing that capacity could be increased by the interim use of chemical additives and a new lagoon at the Clavey Road Plant. Of the 20,000 connections allowed, 1/3 were allotted to the Clavey Road Plant.

One year later NSSD requested a variance to enable it to authorize an additional 2,500 permits (10,000 P.E.) for its Clavey Road Plant. After initial opposition by the Agency, a joint Stipulation was filed calling for an additional 2,000 permits based on several qualifications. These qualifications gave the target dates for completion of certain projects as follows:

February 1, 1974	Highland Park Lakefront Interceptor
July 1, 1974	Overflow Treatment Facilities at Clavey Road Plant
November 1, 1974	First Phase of Middle Fork Interceptor Sewer.

The Board granted this variance, based on these qualifications, as of January 10, 1974 (PCB 73-134, 10 PCB 605). On September 20, 1974, NSSD sought an extension of time for that variance and, in the alternative, a complete lifting of the ban. On January 9, 1975, the Board granted the variance for one additional year for the unused balance of the remaining P.E. We refused to lift the ban completely, however, noting that of the above listed qualifications only the Highland Park Interceptor had been completed. In the instant petition NSSD alleges that all conditions established by the Board as reasons for the sewer ban have now been met. The Agency Recommendation confirms that each of the conditions precedent to the lifting of the sewer ban have now been completed, including construction of the Middle Fork Interceptor.

The design average flow of the Clavey Road Plant is 17.8 MGD. As we noted in our Order of January 9, 1975, the recorded plant flows range from 5.8 MGD to 15.7 MGD. The Agency notes in its Recommendation that the NPDES permit issued to the Clavey facility on December 24, 1974, requires BOD and suspended solids standards of 15 and 20 mg/l respectively until December 14, 1976, whereupon standards of 10 and 12 mg/l must be met. Effluent from the plant flows into the Skokie Drainage Ditch. Monthly operating reports depict the following effluent quality:

<u>Date</u>	<u>Flow (MGD)</u>	<u>BOD (mg/l)</u>		<u>TSS (mg/l)</u>	
		<u>Raw</u>	<u>Final</u>	<u>Raw</u>	<u>Final</u>
July, 1975	10.62		18		27
June, 1975	14.29		32		20
May, 1975	13.37	318	15	1200	9
April, 1975	18.7	115	16	354	22
March, 1975	13.7	55	19	95	10
Feb., 1975	12.8	80	18	127	17
Jan., 1975	11.6	91	16	173	13

The Agency asserts that although the 15/20 standards are not being met consistently, the plant capacity has not yet been reached and additional loadings below capacity should have little adverse effect on effluent quality.

Based upon the above facts, it now appears that an entire lifting of the ban may be achieved without a significant deterioration in the quality of treatment available. Final completion of the required qualifications (specifically, the Highland Park Lakefront Interceptor, the Overflow Treatment Facilities, and the First Phase of the

Middle Fork Interceptor) at long last means that adequate sewage treatment will be available for the Clavey Road area in the immediate future and until design capacity is again reached. The Board is therefore of the opinion that the outright ban, having served its purpose, is now unnecessary. Until such time as this is no longer true, routine Agency permit requirements should be adequate to insure a rational policy of load expansion and to prevent a reoccurrence of the problems which made the ban necessary in the first place.


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

ORDER

The sewer ban imposed by the Board on North Shore Sanitary District in PCB 70-7, 12, 13, 14 is hereby revoked as it pertains to the Clavey Road Sewage Treatment Plant.

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 16<sup>th</sup> day of October, 1975 by a vote of 3-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board