

Approximately two-thirds of all sewered portions of the area served by Springfield are combined sewers (R.37). Overflows are greater than those allowed by Rule 602(c) (R.37). The combined sewers receive both wastewater and land runoff. In order to comply with the requirements of the violated rules, Springfield intends to implement a plan known as the Springfield Sanitary Regionalization Plan. The Plan includes the construction of "Project A" in the Outer Park Drive area of Southwest Springfield. This would include the construction by September 30, 1977, of relief sewers and excess flow bypass (R.49). "Project B" would include the installation of an interceptor sewer from the Village of Chatham to Springfield STP by December 1, 1977 (R.50-1). "Project C", the easterly regionalized interceptor, would be completed by October 30, 1978 (R.57). The total cost for these improvements is estimated to be \$35,000,000 (R.55-9).

Springfield's treatment plants have a design capacity of 30 MGD. The dry weather flow is 23 MGD. The District has wastewater facilities for complete treatment of up to 75 MGD on a short term basis with primary treatment for an additional 110 MGD (R.84).

If variance is not granted, Springfield would become ineligible to receive Federal Grant monies. Springfield has received Step I Grant approval. However, unless it can show financial ability to meet 25% of the costs of compliance, Federal grant monies will not be available (R.98). As Springfield does not have sufficient funds on hand, it must issue bonds to cover its share of the costs (R.89, 95-6).

Due to violation of Rule 602(b), a portion of Springfield has been under an Agency imposed sewer ban since July 12, 1972. The Agency's favorable recommendation is conditioned upon the variance not affecting the restricted status of the area (Amend. Rec. 4).

In the past, the Board has held that where a denial of variance would result in the ineligibility for Federal Step Grants, an arbitrary and unreasonable hardship would result from said denial. Bloomington and Normal Sanitary District v. EPA PCB 76-52 (May 6, 1976). The Board will, therefore, grant Petitioner the relief requested. However, the grant of variance from Rule 602(b) is not to be construed to lift the Agency imposed sewer ban described herein.

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

ORDER

It is the Order of the Board that the Springfield Sanitary District be granted variance from Rules 602(c), 602(d)(3), 602(b), 403 and 405 of Chapter 3, Water Pollution, Rules and Regulations of the Illinois Pollution Control Board, until October 30, 1978 subject to the following conditions:

1. The Springfield Sanitary District shall abate its discharge of inadequately treated combined sewer overflows as required by Rule 602(c) of Chapter 3, Water Pollution, Rules and Regulations of the Illinois Pollution Control Board, in accordance with the project completion schedule containing the following schedule:

a. Completion of final plans and specifications by September 1, 1976 in the western area of the District.

b. Completion of construction by December 1, 1977 in the western area of the District.

c. Completion of final plans and specifications by June 30, 1977 in the eastern area of the District.

d. Completion of construction by October 30, 1978 in the eastern area of the District.

2. The Springfield Sanitary District shall abate overflows from sanitary sewers so as to comply with Rule 602(b) of Chapter 3, Water Pollution, Rules and Regulations of the Illinois Pollution Control Board, in accordance with the project completion schedule containing the following schedule:

a. Completion of final plans and specifications by June 1, 1976.

b. Completion of construction by September 30, 1977.

3. The Springfield Sanitary District shall abate the discharge of effluent containing settleable solids, floating debris, visible oil, grease and scum, and effluent exceeding 400 fecal coliforms per 100 ml., so as to comply with Rules 403 and 405 of Chapter 3, Water Pollution, Rules and Regulations of the Illinois Pollution Control Board, in accordance with the project completion schedule containing the following schedule:

a. Completion of final plans and specifications by

September 1, 1976 in the western area of the District.

b. Completion of construction by December 1, 1977 in the western area of the District.

c. Completion of final plans and specifications by June 30, 1977 in the eastern area of the District.

d. Completion of construction by October 31, 1978 in the eastern area of the District.

4. This Order shall not be construed to lift the Agency imposed sewer ban in portions of the District.

5. The Variances granted herein shall be effective conditioned upon Petitioner remaining eligible for construction grant funds.

6. In the event that R75-15 is adopted by the Board, then the variance from Rules 602(c) and 602(d)(3) shall cease upon the effective date of said adoption.

7. Within 28 days after the date of the Board Order herein the Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Manager, Variance Section, 2200 Churchhill Road, Springfield, Illinois 62706 and to the Pollution Control Board a Certification of Acceptance and Agreement to be bound to all terms and conditions of the variance. The form of said certification shall be as follows:

CERTIFICATION

I (We), _____ having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 75-465 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED _____

TITLE _____

DATE _____

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 3RD day of June, 1976 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board