

ILLINOIS POLLUTION CONTROL BOARD  
April 28, 1977

CRAWFORD COUNTY STATE BANK,                    )  
Land Trust #185,                                    )  
  )  
  Petitioner,                    )  
  )  
  v.                                    )     PCB 77-32  
  )  
ENVIRONMENTAL PROTECTION AGENCY,            )  
  )  
  Respondent.                    )

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

This matter is before the Board on the petition filed on January 31, 1977, by the Crawford County State Bank, Land Trust #185, seeking variance from Rule 962(a) of Chapter 3: Water Pollution, for a sanitary sewer extension to serve a twenty-four unit apartment complex. The Agency is presently unable to issue an operating permit for this extension because it is tributary to the Mt. Vernon sewage lift station #1, which experiences overflows during periods of wet weather. The Agency Recommendation favorable to the grant of the variance was filed on April 11, 1977.

Although Petitioner commenced construction of the apartment complex without first obtaining the requisite Agency permits, Petitioner alleges that this occurred only because the Mt. Vernon city engineer had given assurances that the downstream sewers and treatment facilities were adequate. Petitioner alleges that a severe hardship will be suffered unless it is permitted to rent these apartments as soon as they are completed, or some time in April, 1977. The Petitioner also alleges that the City of Mt. Vernon is in desperate need of rental housing.

The City of Mt. Vernon is presently in the process of upgrading lift station #1 and it is estimated that the project will be completed in early July, 1977. The station has sufficient dry weather capacity to receive the anticipated flow from Petitioner's facility, and this flow will receive adequate treatment at the Mt. Vernon sewage treatment plant. The lift station presently has a design average flow of 230,400 gals/day with a peak capacity of 576,000 gals/day. According to Petitioner, the maximum flow to the station prior to any upgrading was 787,352 gals/day. By January of 1977, the lift station upgrading had

already brought about an estimated 20% reduction in flow (157,470 gals/day) to the station. These figures indicate that if no further upgrading occurred until the new lift station is fully operable, that there would be a 53,882 gals/day excess flow to the existing station during periods of wet weather. The capacity of the proposed lift station is 1,120,320 gals/day.

The Board is disposed to grant the relief requested. The Board finds that the hardship that would be suffered by Petitioner and the Mt. Vernon community far outweighs the detrimental environmental impact that result from a variance grant. The Board has given considerable weight to the fact that the existing overflow problem will be completely eliminated in less than 90 days.

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

ORDER

Petitioner, Crawford County State Bank, Land Trust #185, is granted variance from Rule 962(a) of Chapter 3: Water Pollution, for a sanitary sewer extension to serve a twenty-four unit apartment complex that will be tributary to the Mt. Vernon lift station #1.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 28th day of April, 1977 by a vote of 5-0.

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