

ILLINOIS POLLUTION CONTROL BOARD  
May 3, 1973

VILLAGE OF BENSENVILLE )  
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 )  
 v. ) PCB 72-481  
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 ENVIRONMENTAL PROTECTION AGENCY )  
 )

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

This is a request for variance until December 31, 1974 from Rule 404(f) of the Water Regulations which requires that no effluent whose dilution ratio is less than one to one shall exceed 4 mg/l BOD or 5 mg/l suspended solids. Hearing was held on February 28, 1973.

Petitioner's present wastewater treatment facility is a trickling filter secondary plant with chlorination. It has a design average flow of 3.0 MGD and is currently discharging an average of 3.23 MGD. Around fifty percent of the plant's load is industrial waste. The plant's effluent is discharged to Addison Creek, an intermittent stream which provides less than a one to one dilution ratio.

Agency grab samples taken between March and July, 1972 show the effluent to be 12, 26, 12 and 8 mg/l BOD and 37, 32, 30 and 28 mg/l suspended solids. The fecal coliform counts were less than 1000 per 100 ml on all four occasions. According to the petitioner's monthly operating reports for May, June, July, October and November, 1972, the average BOD was between 6 and 8 mg/l and the average suspended solids was between 22 and 34.

The petitioner has been working on upgrading its plant to a capacity of 4.0 MGD with an effluent not to exceed 4 mg/l BOD and 5 mg/l suspended solids. The existing plant will remain in operation to provide pre-treatment of raw sewage. The new plant will use an activated sludge process followed by tertiary treatment. Additional aeration capacity will be provided to treat the ammonia nitrogen. The expected completion date is December 31, 1974.

In June, 1970, petitioner contracted for a preliminary engineering study to upgrade its facilities. That report was received in January, 1971. In April, 1971, the report was submitted to the Northeastern Illinois Planning Commission (NIPC) along with State and Federal grant applications. In November, 1971 petitioner received notice from NIPC denying endorsement of the project because the proposal was inconsistent with the DuPage County Regional Wastewater Plan. In

January, 1972, petitioner hired another engineering consultant to prepare a second report. This second report was submitted to NIPC in March and was finally approved on May 30, 1972.

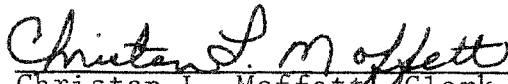
The Agency recommendation notes that the delays were due in part to the uncertainties of regionalization and not necessarily self imposed by petitioner. It also notes that even though the effluent levels are above the standards, the concentrations are not so excessive as to substantially impair water quality in Addison Creek. The Agency recommends a grant of the variance from Rule 404(f) and also from Rules 921(d) and 1002 so that permits can be issued. Under the circumstances of the case and in view of the Agency's recommendation we will grant the variances.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

1. Petitioner is granted a variance from Rules 404(f), 921(d) and 1002 of the Water Regulations until May 3, 1974.
2. Petitioner shall refile a project completion schedule with the Agency by June 3, 1973.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 3<sup>RD</sup> day of May, 1973 by a vote of 4-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board