

ILLINOIS POLLUTION CONTROL BOARD
May 10, 1972

JESSE AND JOSIE STARKS)
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 v.) # 72-157
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 ENVIRONMENTAL PROTECTION AGENCY)

Opinion and Order of the Board (by Mr. Currie):

Mr. and Mrs. Starks seek to connect a single-family home to a sewer in the North Shore Sanitary District (see League of Women Voters v. EPA, #70-7, March 31, 1972). In past cases such as this one (because of low income the petitioners qualify for a subsidized mortgage under the National Housing Act, and they are forced to live apart because unable to secure a suitable apartment) we have allowed new connections to overloaded treatment plants because the hardship of denial would greatly outweigh the pollution a variance would cause. E.g., McWilliams v. EPA, #71-112 (August 13, 1971). In the present case this result is further strengthened by the Agency's observation that the North Chicago plant, to which this home will discharge, is producing an effluent of 8 mg/l BOD and 14 mg/l suspended solids, which is therefore in compliance with presently applicable regulations (SWB-7). While we do not know what effect substantial additional connections would have on that effluent, while the present record tells us nothing about possible wet-weather overflow conditions, and while future improvements (to 4 and 5 mg/l respectively) are required (see PCB Regs., Ch. 3), we are convinced that to allow connection in this hardship case involving a single family will not significantly increase pollution.

The variance is hereby granted.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 10th day of May, 1972 by a vote of 5-0.

Christan L. Moffett