

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1972

MOWEAQUA COMMUNITY UNIT SCHOOL DISTRICT 6A)
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 v.) # 72-15
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 ENVIRONMENTAL PROTECTION AGENCY)

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

The School District operates its own small sewage treatment facility, which would allegedly require a \$20,000 expenditure to bring up to standard. The District alleges that it expects the Village of Moweaqua to construct a municipal treatment plant "within the very near future" and that its own plant will be abandoned at that time. The District asks that it be relieved from the regulations requiring upgrading of its own plant in order to avoid what it considers an unnecessary expense, promising to make certain lesser improvements in the meantime.

We strongly endorse the desirability of phasing out small and relatively inefficient treatment plants. Cf. DuPage Regionalization, #R 70-17, January 6, 1972. We recognize that in some cases it may be appropriate to allow relief from strict standards for a brief period pending replacement of a small plant in order to avoid expenditures that are not justified by the benefits. See Metropolitan Sanitary District v. EPA, # 71-166 (Orland Park), decided September 16, 1971. In the present case the petition does not, however, present sufficient facts on which we can base a determination that indeed such is the case here. We need a firmer assurance that the Village in fact will build an adequate plant of its own and that this will be accomplished within a reasonably short time. The Village itself should be joined in any further petition of this nature in order that it could be bound by our order. See Flintkote Co. v. EPA. # 71-68, November 11, 1971.

In the absence of a firm program for phasing out the existing plant, we could not grant this petition even if all the facts alleged were proved. As in York Center v. EPA, # 72-7, January 17, 1972, we cannot grant an open-ended variance without a commitment that the problem will be cured within a reasonable time.

A hearing, therefore, would be premature. We therefore hereby dismiss the petition with leave to file an amended petition setting forth a program for terminating discharges in excess of regulation limits, by replacement of the facility or otherwise.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order of the Board this 24th day of January, 1972 by vote of 4-0.

Christan Moffett