

ILLINOIS POLLUTION CONTROL BOARD
May 31, 1973

LEWIS and CLARK COMMUNITY COLLEGE)
JUNIOR COLLEGE DISTRICT NO. 536)
)
v.) PCB 72-246
)
)
ENVIRONMENTAL PROTECTION AGENCY)
)

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

This proceeding is a petition for variance filed by a new junior college district on September 29, 1972. The district ("Lewis and Clark") asks permission to operate its existing sewage treatment plant beyond the December 31, 1973 deadline for tighter effluent standards until it can connect to the Godfrey Township Utility Board sewage treatment plant.

We grant the variance without hearing for a year until May 31, 1974 for the reasons given below.

The present sewage plant was constructed in 1961 and consists of 24-hour (extended) aeration with a design capacity of 70,000 gallons per day. Present flow is 21,000 gpd. The present effluent averages 15 mg/l BOD and 10 mg/l suspended solids according to Lewis and Clark.

The petitioner lays out three alternatives which are (a) expand and upgrade the present plant, (b) construct a new plant with a capacity of 85,000 gpd, or (c) connect to Godfrey Township. The consulting engineers, Sheppard, Morgan and Schwaab, Inc. in a September 11, 1972 report (Exhibit 1) state that (a) is not feasible since the basic treatment unit is not of sufficient size to meet future needs (83,000 gpd by 1980-81) and cannot be economically expanded. They state that (b) would cost \$48,900 and maximum operating cost would be \$10,200 per year. The last alternate (c) would require 2,926 lineal feet of 10-inch sewer to connect to the Godfrey Township sewer at a capital cost of \$44,720 and an annual sewer service charge (at 83,000 gpd) of \$6,794.

On April 17, 1973 the Environmental Protection Agency filed its recommendation. The Agency points out that the existing effluent standard for Lewis and Clark is 30 mg/l BOD and 37 mg/l suspended solids and effluent data listed show values under these limits in almost all cases. The standard, however, for the Lewis and Clark plant goes to 4 mg/l BOD and 5 mg/l suspended solids after December 31, 1973.

The Agency states that the intermittent stream which receives the effluent flow is 0.6 miles in length, is wholly on the Lewis and Clark property and "has no apparent agricultural, recreational or other social use" and eventually drains to Rocky Fork Creek. "No significant adverse effect" would occur on the stream if present effluent values were maintained, according to the Agency.

The Agency alleges that arbitrary and unreasonable hardship has not been shown by Lewis and Clark and in its analysis then inexplicably combines capital and annual costs. It recommended denial unless Lewis and Clark could show (a) expectations by Godfrey of a connection by Lewis and Clark or (b) existence of a Godfrey ordinance requiring connection or (c) a feasibility analysis of a regional sewage plant over separate facilities.

We do not fully agree with the degree of proof the Agency requested. Regionalization of sewage plants is a worthy goal recognized by the Board in many decisions (E. St. Louis v. EPA, PCB 72-393, February 14, 1973) since it brings with it economies of scale and more sophisticated level of operational competence. From the Agency's standpoint in this proceeding, regionalization means one less treatment plant to inspect, to process reports and to certify operators for. The Board would give all possible encouragement toward establishing regional sewage plants.

At any rate on May 11, 1973 Lewis and Clark filed a motion supplying the Godfrey Township connection ordinance and engineering reports showing reliance by Godfrey on receiving the Lewis and Clark load.

On May 24, 1973 the Agency responded to the motion and recommended a grant of the variance from Rule 404(f) of Chapter 3 so long as Lewis and Clark has interim chlorination facilities operating within 90 days and posts a bond to insure chlorination and connection to Godfrey.

We grant the variance subject to the conditions of the Order. Interim chlorination may now be operative but was due in July 1972 and we here order it to make certain that it is realized. We do not require a bond because we feel that it is to Lewis and Clark's advantage to connect and that they will do so as soon as they can.

Should additional variance extension be needed we require that they be requested 90 days in advance of the expiration of this one. We point out two matters for future guidance: first if the Agency is correct that "no adverse effects" will follow from discharging the present effluent then perhaps the 4/5 standard now required is too severe; and second, the design capacity at Lewis and Clark's plant will not be reached until 1977-78 which means that 4-5 years may remain in which to connect to Godfrey given "no adverse harm".


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

- 3 -
ORDER

1. Variance is granted from Rule 404(f) of Chapter 3 until May 31, 1974 provided that the effluent shall not exceed 20 mg/l BOD and 25 mg/l suspended solids on a monthly average basis.
2. Interim chlorination equipment shall be installed and be operated by June 30, 1973 and bacteriological standards shall be met after that date.
3. If extensions are needed to the variance they shall be applied for at least 90 days prior to expiration.

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 31st day of May, 1973 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board