

ILLINOIS POLLUTION CONTROL BOARD
November 14, 1972

ENVIRONMENTAL PROTECTION AGENCY)
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)
 v.) #72-342
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)
 CITY OF RUSHVILLE et al.)

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

The respondents stipulate, as charged, that construction was commenced without a permit on facilities to connect the Bartlow Bros. effluent discharge pipe to the City's sewers tributary to its sewage treatment plant. Construction has since been halted and the sewer connection plugged. It will not be used unless and until a permit is issued, and we so order. The complaint seeks no money penalties, so nothing remains for us to do.

The basic problem, however, remains unsolved so far as the present record shows. Some time ago Bartlow petitioned us for a variance from applicable effluent standards pending completion of this connection; the Agency responded that the plant had insufficient capacity to accept such a discharge; we dismissed the petition without prejudice. Bartlow Bros., Inc. v. EPA, #72-222, 5 PCB ___ (Aug. 28, 1972). We have heard nothing further. If the excessive discharge continues, we urge that it be abated as quickly as possible. We are of course prepared to entertain such further proceedings on that score as the parties may wish to bring before us.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion & Order this 14th day of November, 1972, by a vote of 5-0.

Christan J. Moffett