

RESOLUTION No. 06-09

A RESOLUTION ESTABLISHING A MORATORIUM ON THE PERMITTING OF SURFACE DISCHARGING ONSITE WASTEWATER TREATMENT SYSTEMS

WHEREAS the installation of private surface discharging onsite wastewater disposal systems in Illinois continues to rise due to soil conditions, lots sizes, high water tables, housing density and cost; and

WHEREAS it is estimated that there are approximately 140,000 surface discharging systems in Illinois, 701 on record in Kendall County; and

WHEREAS data exists suggesting that at least 20% of all surface discharging systems are discharging treated wastewater which does not meet water quality standards established by the Private Sewage Disposal Code; and

WHEREAS in July 2004, the Environmental Law and Policy Center provided a 60-day notice of intent to sue the U.S. Environmental Protection Agency (USEPA) concerning the fact that Illinois was not issuing National Pollutant Discharge Elimination System (NPDES) permits for onsite wastewater disposal systems that have a surface discharge; and

WHEREAS USEPA has since notified the Illinois Environmental Protection Agency (IEPA) that Illinois must bring its policies concerning private surface discharging sewage disposal systems into compliance with the federal Clean Water Act and NPDES permit requirements; and

WHEREAS IEPA is now developing a version of a NPDES permit to address private surface discharging onsite wastewater disposal systems; and

WHEREAS the Kendall County Board desires to establish a moratorium on the permitting of new private surface discharging onsite wastewater disposal systems unless accompanied by a NPDES permit;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, KENDALL COUNTY, ILLINOIS, as follows:

Section 1. Recitals

The foregoing recitals are hereby incorporate into, and made part of, this Resolution as the findings of the Kendall County Board.

Section 2. Establishment of a Moratorium

The Kendall County Board does hereby establish a moratorium on the permitting of new private surface discharging onsite wastewater disposal systems unless accompanied by a National Pollution Discharge Elimination System permit approved and issued by the Illinois Environmental Protection Agency.

Section 3. Publication; Filing

The County Clerk is hereby authorized and directed to publish this authorizing Resolution within ten days after passage in a newspaper of general circulation within the County of Kendall.

Section 4. Effective Date

This Resolution shall be in full force and effect from and after this Resolution's passage and approval in the manner required by law.

Passed this 4th day of April, 2006, by vote of the Kendall County Board, as follows:

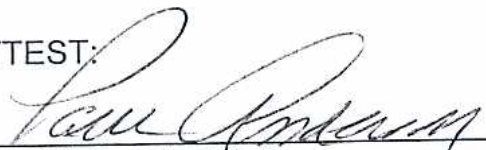
Ayes (7)
Nays (1)
Abstain (0)
Absent (2)

Approved this 4th day of April, 2006.



John A. Church
Chair
Kendall County Board

ATTEST:


Kendall County Clerk