

ILLINOIS POLLUTION CONTROL BOARD  
February 25, 1988

CITY OF OTTAWA, )  
 )  
Petitioner, )  
 )  
v. ) PCB 86-165  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Anderson):

By its Opinion and Order of January 22, 1987, the Board granted the City a variance from the January 1, 1986 deadline date of 35 Ill. Adm. Code 306.373, to enable the City to file a petition for exception to the combined sewer overflow (CSO) regulations on or before July 1, 1987. The purpose of the variance was to allow the City to collect data concerning its CSO problems and their environmental impact.

On June 25, 1987, in response to a motion by the City to which the Agency did not object, the Board extended the July 1, 1987 filing date through October 1, 1987.

On September 21, 1987, the City again moved for an extension of the deadline from October 1, 1987 to February 15, 1988. The Board granted that motion by Order of October 29, 1987.

On February 16, 1988, the City again filed a request for extension through March 16, 1988. The City asserts that it submitted a CSO petition to the Agency on January 20, 1988. The City further asserts that:

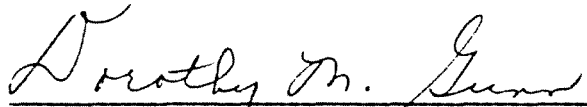
Since this time, the City's staff and Consultants have been involved in ongoing discussions with the Agency to work out the details of a joint petition. Both parties are very optimistic that a joint petition is imminent. However, it appears that additional time is needed to complete the negotiations.

As the City has invited the Board to contact the Agency's attorney in this matter, and as the Agency has filed no response in opposition to this motion, the Board will construe the motion to be an agreed motion. The motion for extension is accordingly granted through March 16, 1988. In so doing, the Board comments

that it is hopeful that no further variance extensions will be necessary, as the review of the merits of the City's proposed resolution of its CSO problems is long overdue.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 25<sup>th</sup> day of February, 1988, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board