

ILLINOIS POLLUTION CONTROL BOARD
September 23, 1983

CITY OF EAST PEORIA,)
)
) Petitioner,)
)
) v.) PCB 83-38
)
) ILLINOIS ENVIRONMENTAL)
) PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by J. Anderson):

On August 29, 1983, the City filed a motion alternatively requesting clarification or reconsideration of the Board's July 26, 1983 Order granting variance. Specifically, the City requests amplification of the phrase "completed sewer rehabilitation plan" in paragraph 1(b)(ii), and the phrase "construction schedule/compliance plan" used in paragraph 1(b)(iii), and modification of the Order to relieve the City of any obligation to complete design work if it is unable to fund such work. On September 8, the Agency filed a response indicating its understanding of the terms as used by the Board, and requested that the date for submittal of a "completed sewer rehabilitation plan" be advanced from March 1, 1984 to October 1, 1983.

The City's motion for clarification is granted. The required submittal of a "sewer rehabilitation plan" may be satisfied by submittal of that part of a construction grant program facilities plan pertaining to sewer rehabilitation. The submittal of a "construction schedule/compliance plan" must include submittal of a completed design work.

Concerning the completion date of the sewer rehabilitation plan, the Board notes the Agency's assertion that such plan now "should already be substantially completed", and that the City is already committed to submit the SSES and related facilities plan revisions by October 1. The Agency suggests that October 1 submittal of such information will allow for Agency approval of the plan by December 1, 1983, facilitating the City's development of the required August 1, 1984 compliance plan. The Board declines to adjust the March, 1984 date given in its original Order based solely on the Agency's estimate concerning the

City's progress on its facilities plan work. However, the Board agrees with the Agency that the City would be well advised to submit its "sewer rehabilitation plan" as quickly as possible, for the reasons given by the Agency.

On the necessity of submittal of actual design work vs. generalized, through careful, estimates, the Board thoroughly agrees with all of the arguments given by the Agency in the first full paragraph, page 2 of its response, and incorporates them by reference.

IT IS SO ORDERED.

Board Chairman J.D. Dumelle and Board Member J. T. Meyer dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 23rd day of September, 1983 by a vote of 3 2.


 Christan L. Moffett, Clerk
 Illinois Pollution Control Board