

ILLINOIS POLLUTION CONTROL BOARD  
December 5, 1972

ENVIRONMENTAL PROTECTION AGENCY    )  
  )  
                  v.                    )   PCB 72-207  
  )  
COUNTY OF DU PAGE, a Body         )  
Politie and Corporate                )

INTERIM OPINION AND ORDER ON MOTION TO ADD PARTIES (by  
Mr. Parker):

In this enforcement proceeding, the County of DuPage is charged with water pollution violations during the period of September 22, 1970 through January 3, 1972 at its Nordic Park sewage treatment plant.

By our Order dated August 22, 1972 we deferred action on a motion to strike filed by Respondent, and held in abeyance a motion to add the Villages of Addison and Itasca as parties, pending receipt of further information from Respondent.

On October 26, 1972, Respondent filed an amendment to the pending motion to add parties. The amendment proposes to add the Villages of Bensenville and Elk Grove and the City of Wood Dale as well as Addison and Itasca. In support of its motion to add parties, Respondent states that all municipalities are within the same proposed wastewater treatment region (see DuPage County Wastewater Treatment Regionalization, #70-17). All will be subject to a comprehensive plan affecting the capacity and future existence of each facility. Respondent concludes that this situation necessitates inclusion of all parties in this proceeding.

Based upon our review of all papers submitted in support of the motion to add parties, we conclude that Respondent's motion to add parties must be denied because there is no showing that these municipalities have any ownership interest in Respondent's sewage treatment facility. There is no showing that the parties proposed to be added are responsible in any way for the violations alleged in the Complaint. The regionalization hearings in Respondent's region (Region I) were the proper place to present the issues raised by the instant motion.

In regard to Respondent's motion to strike, we reaffirm our previous order deferring decision until the Board's final determination of all issues presented in this proceeding.

No outstanding issues remain to be decided before the hearing. The allegations of continued violation are of such a serious nature as to warrant prompt determination of the facts. A hearing should take place within the shortest practicable time.

ORDER

1. Respondent's motion to add parties is hereby denied as to each and every party in accordance with the opinion expressed above.

2. Respondent's motion to strike is held in abeyance, as ordered previously.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Interim Opinion and Order was adopted on the 5<sup>th</sup> day of December, 1972, by a vote of 4 to 0.

Christan L. Moffett