

ILLINOIS POLLUTION CONTROL BOARD
June 27, 1972

H. ARTHUR JUHREND et al)
)
 v.) # 72-255
)
 ENVIRONMENTAL PROTECTION AGENCY)

OPINION AND ORDER OF THE BOARD (BY MR. CURRIE)

The petition seeks permission to replace existing sewer sources in Lake Forest with new ones contributing about half the original gallonage. The petition came about because the Agency allegedly has taken the position that our decision that certain replacements are not banned (State National Bank of Evanston v. EPA, # 72-176 May 10, 1972) by our order of March 31, 1971 (League of Women Voters v. North Shore Sanitary District, # 70-7) applies only to the Clavey Road and Waukegan treatment plants. That interpretation is erroneous; the policy of the Evanston case applies throughout the sewer ban area. We do not determine whether or not the present petition otherwise qualifies, since that decision is for the Agency on the first instance. Having removed the apparent obstacle, we dismiss the petition as moot, without prejudice.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 27th day of June, 1972, by a vote of 5-0.

Christan J. Moffett