

ILLINOIS POLLUTION CONTROL BOARD  
May 3, 1973

WALTER R. SEEGREN )  
 )  
 ) #71-106  
 v. )  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

On August 5, 1971, we entered an Order denying a variance in which petitioner sought to be allowed the extension of a sewer and the connection of two eighteen-unit apartment buildings to Waukegan sewers tributary to the Waukegan treatment plant of the North Shore Sanitary District, which connections were forbidden in our Order in League of Women Voters v. North Shore Sanitary District, ##70-7, 12, 13 and 14, 1 PCB 369 (March 31, 1971). Our opinion in support of the Order was entered on August 13, 1971.

On December 28, 1972, the Appellate Court of Illinois, Second District, reversed the foregoing Order and remanded the matter to the Board "with directions to issue the appropriate permits".

On May 1, 1973, in accordance with the mandate of the Appellate Court, we received a motion from petitioner seeking the entry of an appropriate Order directing issuance of the permit as prayed for in Log #166-71 with respect to which the variance had been originally sought.

Since the Board possesses no statutory authority to issue permits, it will be our Order that the Environmental Protection Agency be, and it is hereby directed, to issue to petitioner the permits sought by its variance petition pursuant to the mandate of the Appellate Court of Illinois, Second District, in case entitled Walter R. Seegren, Petitioner-Appellant v. Environmental Protection Agency of Illinois and Pollution Control Board of Illinois, Case #71-255, which Order issued on December 28, 1972.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 3<sup>RD</sup> day of May, 1973, by a vote of 3 to 0.

