

ILLINOIS POLLUTION CONTROL BOARD
December 18, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
)
v.) PCB 75-22
)
FREEMAN UNITED COAL MINING COMPANY,)
a Division of Material Service)
Corporation, a Delaware Corporation)
and THE METROPOLITAN SANITARY)
DISTRICT OF GREATER CHICAGO,)
Respondents.)

ORDER OF THE BOARD (by Mr. Goodman):

It is the Opinion of the Pollution Control Board (Board) that prior to the State's assumption of administrative authority for the NPDES permit system under the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500, this Board lacks jurisdiction to adjudicate cases involving either the failure to possess an NPDES permit or operation in violation of the terms and conditions of such a permit.

In consideration thereof, the Board, herewith, reinstates its Opinion of August 28, 1975.

IT IS SO ORDERED.

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 18th day of December 1975 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board