

ILLINOIS POLLUTION CONTROL BOARD
April 5, 1973

NORTH SHORE SANITARY DISTRICT)
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)#71-343
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)
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v.)
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ENVIRONMENTAL PROTECTION AGENCY)

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

The North Shore Sanitary District has filed a petition, posing several questions to the Board alleged to result from the provision of our March 2, 1972 Order, paragraph 23, providing as follows:

"23. Within 90 days of the entry of this Order, the District shall submit to the Agency and the Board a plan assuring financing of the program herein and heretofore approved, together with a study by bond counsel discussing the various financing alternatives available."

The questions raised relate primarily to the implications of a connection charge ordinance adopted by the District.

In view of the fact that our Order does not mandate any specific procedure, we do not believe the issues raised by the District are properly before us. Specifically, it would appear that the problems resulting from the adoption of the ordinance are more properly matters of internal resolution by the District itself, and not subject to a declaratory determination by this Board. The refinements and specifics of how the funds are raised are not properly within our purview. We are concerned that the District obtain adequate funds to carry out its directed obligations, but the precise details are not a matter for Board ruling or opinion.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 5th day of April, 1973, by a vote of 4 to 0.

Christan L. Moffett
(C.M.)