

ILLINOIS POLLUTION CONTROL BOARD  
April 24, 1975

THE METROPOLITAN SANITARY DISTRICT )  
OF GREATER CHICAGO, a municipal )  
corporation, )  
 )  
Petitioner, )  
 )  
v. ) PCB 75-133  
 )  
THE ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

INTERIM ORDER OF THE BOARD (by Mr. Zeitlin)

The Metropolitan Sanitary District of Greater Chicago (Sanitary District) filed this case as a Permit Appeal on March 27, 1975. At the same time, (as a part of its Petition), the Sanitary District requested that any hearing or determination on the merits by this Board be deferred pending resolution of a related enforcement action, EPA v. Metropolitan Sanitary District of Greater Chicago, PCB 75-112. Insofar as the Sanitary District has subsequently filed an adequate waiver of its right to determination of this matter within 90 days, the Board finds that this request is reasonable. The Sanitary District has stated that it is of the opinion that common acts and questions of law will be determinative of both this matter and the pending enforcement case. While the Board does not, by this Order, accept the Sanitary District's contention as to such commonality of facts or questions of law, we do not see any reason why this matter should not be deferred at Petitioner's request.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 24<sup>th</sup> day of April, 1975 by a vote of 4 to 0.

Christan L. Moffett  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board