

ILLINOIS POLLUTION CONTROL BOARD  
October 3, 1972

CITY OF EAST ST. LOUIS )  
 )  
 )  
 v. ) # 72-393  
 )  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

Preliminary Order of the Board (by Mr. Currie):

East St. Louis seeks more time to build secondary sewage treatment facilities, alleging among other things that the regional planning agency (Southwestern Illinois Metropolitan Planning Association Commission, or SWIMPAC) has not yet determined whether or not East St. Louis should participate with Lansdowne, Sauget, and Cahokia in a single regional treatment plant. Clearly the controversy cannot be resolved without the addition of SWIMPAC and the other communities as parties, so that our order can reach all those whose actions may be necessary to construct the needed facilities. A hearing is hereby authorized, and the hearing officer is directed to join SWIMPAC and such other parties as may be within one of the alternative plans being considered by SWIMPAC. Cf. EPA v. City of Silvis, # 71-159, 2 PCB 677 (Oct. 18, 1971), Gages Lake Sanitary District v. EPA, # 71-104, 2 PCB 443 (Sept. 16, 1971).

The petition is not wholly adequate as it now stands. It omits information as to effluent and river quality and does not clearly indicate why no contract for preliminary engineering was entered into until November 1971, although our regulation requiring secondary treatment by December 1973 was adopted in January 1971. We shall allow 21 days for the filing of an amended complaint, which should provide that the 90-day period during which we must decide the case shall begin to run as of the date the amended petition is filed. Absent such extension of the period we will be forced to dismiss the initial petition for insufficiency.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Preliminary Order this 3rd day of October, 1972, by a vote of 5-0.

