

ILLINOIS POLLUTION CONTROL BOARD
May 9, 1974

IN THE MATTER OF:)
)
PERMIT NO. 20 LM)
ILLINOIS DEPARTMENT OF TRANSPORTATION,) PCB 74-170
DIVISION OF WATERWAYS TO THE NORTH)
SHORE SANITARY DISTRICT.)

ORDER OF THE BOARD (by Mr. Dumelle):

On March 22, 1974 the Board received the permit application and related documents which would allow the North Shore Sanitary District to construct three groins in Lake Michigan and to place sand fill on the northerly side of the groins.

The Board in a March 29, 1974 letter asked the Division of Waterways to comment on possible legal liability to the State of Illinois in the event sand is not replaced if and when erosion takes place. An April 2, 1974 reply from Dr. Leo M. Eisel, Director, Division of Waterways states:

With regard to your questions relative to liability, we believe that the standard conditions in all permits issued by this Division fully protect the legal rights of all parties who may be affected by the proposed construction.

While this reply is not as responsive as we would like to the issue of State liability (is the State a party in this permit?) we do feel that the State may be protected and we do want this work to go forward as soon as possible. The permit is authorized for signature by the Chairman as approved by the Pollution Control Board.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on this 9th day of May, 1974 by a vote of 5-0.

Christan L. Moffett