

ILLINOIS POLLUTION CONTROL BOARD
January 17, 1972

ENVIRONMENTAL PROTECTION AGENCY)
)
 v.)
)
 CITY OF URBANA, ILLINOIS)
)
 v.) PCB 71-365
)
 URBANA AND CHAMPAIGN SANITARY DISTRICT, and)
 SALINE BRANCH DRAINAGE DISTRICT, and)
 THE BOARD OF TRUSTEES OF THE UNIVERSITY)
 OF ILLINOIS)

ORDER

This enforcement action was commenced by a complaint filed with the Board on November 24, 1971, by the Environmental Protection Agency against the City of Urbana. On December 20, 1971, a Third Party Complaint was filed with the Board bringing in the additional parties.

On January 7, 1972, the City of Urbana filed a Second Motion to Strike and Dismiss Complaint, requesting that we dismiss this case based upon certain statutory and contractual grounds relating to jurisdiction over the Boneyard Creek and to the responsibilities connected with the treatment of sewage emptying into the Creek and within the Sanitary District.

Since the proper resolution and adjudication of the issues here raised necessarily requires the participation of all the parties to whom the statutory and contractual agreements relate, and since all of said parties have already been joined to these proceedings, IT IS HEREBY ORDERED THAT the Second Motion to Strike and Dismiss Complaint in the above-captioned proceedings is hereby denied.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above order this 17 day of January, 1972, by a vote of 5-0.

Christan L. Moffett