

ILLINOIS POLLUTION CONTROL BOARD  
May 10, 1972

NORTH SHORE SANITARY DISTRICT        )  
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  )                PCB 71-343  
  )  
ENVIRONMENTAL PROTECTION AGENCY    )

MR. MURRAY R. CONZELMAN and MR. JOHN R. SLOAN appeared for the  
NORTH SHORE SANITARY DISTRICT

MR. RICHARD COSBY and MR. THOMAS W. SCHEUNEMAN appeared for the  
ENVIRONMENTAL PROTECTION AGENCY

MR. RICHARD M. KATES appeared for the LEAGUE OF WOMEN VOTERS

MR. THOMAS H. COMPERE and MR. BERLE L. SCHWARTZ appeared for the  
CITY OF HIGHLAND PARK

OPINION OF THE BOARD (by Mr. Kissel):

On March 2, 1972, the Board granted the North Shore Sanitary District (the "District") a variance from the Board's order against the District entered on March 31, 1971, in the case of the League of Women Voters, et al v. North Shore Sanitary District, PCB 70-7, et seq. The March 2 order allowed the District to permit a certain number of new sewer connections to the Waukegan and Clavey Road plants of the District. That order was, however, conditioned on a number of things, one of which is contained in paragraph 21:

"21. . . . The District shall investigate all available means to advance the date of operation of the retention basin [at the Waukegan plant] including the use of its emergency powers, overtime and leased pumps. . . ."

Pursuant to this order, the District submitted a letter to the Board dated May 1, 1972, indicating that the contractor that has the basic contract to construct the retention basin will charge a total of \$660,000 to complete the retention basin by June 1, 1973 rather than September 1, 1973.

Before the Board can properly evaluate whether the expenditure of these funds is necessary for the District to comply with the Board's March 2, 1972 order to employ "all means available to advance the date of operation of the retention basin" at the Waukegan plant,

it will be necessary to hear the comments from the other parties in this case. We, therefore, request that all parties to this case submit comments to the Board on the District's May 1, 1972 letter relating to advancement of the date of completion of the Waukegan retention basin within twenty (20) days after the date of this order. Failure by any party to so comment will be deemed by the Board to mean that that party agrees with the District's conclusion -- that is, that the expenditure of \$660,000 to advance the date of completion of the retention basin should not be made.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 10<sup>th</sup> of May, 1972, by a vote of 5-0.

Christan L. Moffett