

ILLINOIS POLLUTION CONTROL BOARD  
May 12, 1971

GAGES LAKE SANITARY DISTRICT )

v. )

# 71-104

ENVIRONMENTAL PROTECTION AGENCY )

Memorandum Order:

The Sanitary District has been negotiating with the Village of Grayslake and with the Lake County Department of Public Works for the latter to take over the sewage treatment function in the area and to construct a regional sewage treatment plant. Required by existing regulations to improve its own facilities by July, 1972, the Sanitary District asks a variance to allow it a year and a half to accomplish the project if and when the regional treatment plan falls through. No date is specified for compliance, since the year and a half is to begin on whatever date the County decides not to proceed.

We think this is an obviously important case in which a hearing should be held in order to get the facts and in order that the parties may get moving to clean up the present situation, in which there is inadequate treatment. We stress that the present petition is inadequate in that does not contain either a description of the present facilities or a firm plan for complying with the regulation, complete with a final date. PCB Regs., Ch. 1, Rule 401 (a)(1). We cannot grant open-ended permission to do nothing indefinitely while negotiations continue. Further, in accord with our Rule 401 (a)(2), the petition must contain a statement of the harm that will occur to the receiving stream if the variance is granted. The petition must be amended before hearing.

Moreover, the participation both of the County and of Grayslake is indispensable to a complete resolution of the controversy, since their commitment is required before a firm plan can be agreed upon. Thus we order that both be made parties and that each shall submit a pleading setting forth its position in respect to the issues presented in this case. The Northeast Illinois Planning Commission, because of its demonstrated concern of regionalization in Lake County, will also be notified and given the opportunity to intervene if it chooses.

It is so ordered.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Memorandum Order this 12 day of May, 1971.

