

ILLINOIS POLLUTION CONTROL BOARD  
January 9, 1992

IN THE MATTER OF: )  
 )  
JOINT PETITION OF THE VILLAGE OF )  
MORTON AND THE ILLINOIS )  
ENVIRONMENTAL PROTECTION AGENCY ) PCB 85-212  
FOR EXCEPTION TO THE COMBINED ) (CSO Exception)  
SEWER OVERFLOW REGULATIONS )

ORDER OF THE BOARD (by R. C. Flemal):

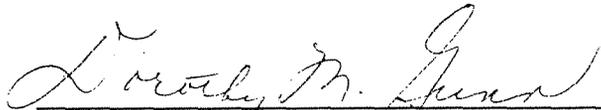
This matter comes before the Board on a motion to modify Board order filed November 27, 1991 by the Village of Morton (Morton). In its motion, Morton requests that the Board remove the requirement that it provide chlorine contact as part of its excess flow treatment described in paragraph 1(a) of the Board's May 9, 1986 Order. In support of this motion, Morton, among other things, states that it has been granted a year-round effluent disinfection exemption for the effluent of its sewage treatment plant No. 2. On January 8, 1992, the Illinois Environmental Protection Agency (Agency), filed an untimely response to the motion without requesting leave to file the motion instanter. In addition, the Agency's response contains facts which are not supported by affidavit.

The Board observes that the facts asserted in the Village's motion are not supported by affidavit as required by the Board's procedural rules (35 Ill. Adm. Code 101.242). Furthermore, although the application for effluent disinfection exemption has been appended to the motion, no documentation indicating that the exemption has been granted as alleged has been submitted.

Affidavits and any other necessary documents shall be submitted to the Board not later than Tuesday, January 21, 1992. The Board anticipates ruling upon this motion at its January 23, 1992 meeting.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 9th day of January, 1992, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board