

ILLINOIS POLLUTION CONTROL BOARD
March 22, 1990

IN THE MATTER OF:)
)
THE PETITION OF THE CITY)
OF LaSALLE FOR EXCEPTION) PCB 86-2
TO THE COMBINED SEWER) (Combined Sewer
OVERFLOW REGULATIONS) Overflow)

ORDER OF THE BOARD (by J. Theodore Meyer):

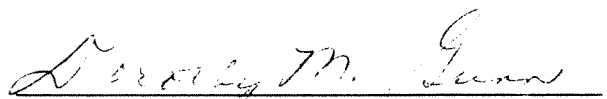
This matter is before the Board on the City of LaSalle's motion for clarification of the Board's April 1, 1987 Order in this proceeding. That April 1, 1987 decision granted LaSalle a temporary combined sewer overflow (CSO) exception, and required LaSalle to submit an amended petition for exception by March 1, 1990. (On November 17, 1988, the Board granted LaSalle's motion for modification and extension. LaSalle now has until March 1, 1991 to file its amended petition.) The Illinois Environmental Protection Agency (Agency) has not filed a response to the instant motion for clarification.

LaSalle's motion asks the Board to specify where it (LaSalle) is to file the CSO monitoring reports which are required by the Board's April 1, 1987 Order and by the NPDES permits issued to LaSalle by the Agency. LaSalle states that its most recent permit requires it to file these reports with the Board rather than the Agency, as LaSalle had been doing since 1987.

Because the Agency has not responded to this motion, the Board is unsure why LaSalle's permit now requires that the reports be submitted to the Board rather than the Agency. Common practice has always been, and that practice was originally followed in this case, that reports are submitted to the Agency. The Board believes that this is the proper procedure, and to any extent that our April 1, 1987 Order may have been ambiguous, finds that LaSalle's CSO monitoring reports should be submitted to the Agency instead of the Board. Therefore, notwithstanding the permit condition, LaSalle is directed to submit their monitoring reports to the Agency only. Of course, because LaSalle must submit another petition for exception, the Board presumes that the information in those reports will eventually be submitted to the Board in support of that petition. For the time being, however, the reports should be submitted to the Agency only.

IT IS SO ORDERED.

I, Dorothy M. Gunn, hereby certify that the above Order was adopted on the 22nd day of March, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board