

ILLINOIS POLLUTION CONTROL BOARD
November 7, 1985

IN THE MATTER OF:)
)
APPLICATION FOR) PCB 85-159
LAKE MICHIGAN PERMIT NO. 178-LM)
FOR WILMETTE PARK DISTRICT)

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon an October 21, 1985 Illinois Department of Transportation (IDOT) request for approval of a permit for Wilmette Park District to enable Wilmette to place 8,700 cubic yards of sand for beach nourishment in Lake Michigan, with periodic renourishment as needed at Langdon Park, Wilmette.

In its Order of October 24, 1985, the Board found the permit application deficient and ordered Wilmette Park District to submit more information regarding the legal authority of the Board to grant a permit in perpetuity and the composition of the sand and any associated contaminants to be placed as beach nourishment.

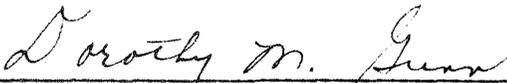
On November 5, 1985, the Board received a response from IDOT. Regarding the composition of the sand, IDOT informed the Board that special condition M was inadvertently left off the permit when it was submitted to the Board for approval which stated that IDOT may require the Wilmette Park District to show evidence that the sand to be used was free of contaminants. Regarding the legal authority of the Board, IDOT informed the Board that this project was being undertaken pursuant to a Section 103 Beach Erosion Study, and will be funded by the Corps of Engineers. One of the requirements of a federal project authorized under Section 103 is that the Corps of Engineers be provided assurance that they will be able to maintain the project. Consequently, IDOT included specific language in the permit covering periodic renourishment as needed.

The Board believes that it should not grant a permit in perpetuity and that special condition M should be mandatory. The Board, therefore, will approve the permit subject to the conditions that the permit be effective for ten (10) years and that special condition M be amended to read that IDOT shall require the Wilmette Park District to show evidence that the sand to be used is clean and free of contaminants.

The Chairman is authorized and instructed to sign an amended permit document should IDOT submit one which includes the conditions mentioned above.

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 7th day of November, 1985 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board