

ILLINOIS POLLUTION CONTROL BOARD
December 3, 1987

FRANTZ MANUFACTURING COMPANY,)
)
 Petitioner,)
)
 v.) PCB 87-157
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY AND THE CITY OF STERLING,)
)
 Respondents.)

ORDER OF THE BOARD (by J. Anderson):

On October 15, 1987, the Board issued an order identifying certain deficiencies in Frantz' October 15, 1987. The amended petition filed December 1, 1987 responds to that Order in all respects except one. The Board had ordered that the City of Sterling be joined as a party; Frantz response was that:

The City of Sterling was not a party to the Original Variance PCB 86-143 and, because the County is constructing the sewer for connection to the City system, the City is not considered a party to the variance petition.

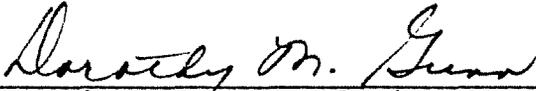
In cases such as this, the Board finds it preferable to join the owner/operator of the sewage treatment plant as a party to insure that it receives all pleadings and has a formal opportunity to make any comments for, or corrections to, the record. Accordingly, pursuant to 35 Ill. Adm. Code 103.121, the City is joined as a party respondent. (The City is free to request realignment as a party petitioner, if it so chooses.) The Clerk is directed to serve the City with this Order and all previous filings in this case.

As the City is free, but is not required, to participate in this proceeding, the Agency should not delay the filing of its Recommendation pending receipt of filings from the City.

IT IS SO ORDERED.

R. Flemal dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 3rd day of December, 1987, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board