

ILLINOIS POLLUTION CONTROL BOARD
January 9, 1986


In the matter of:)
)
JOINT PETITION OF THE VILLAGE)
OF HARTFORD AND THE ILLINOIS) PCB 85-33
ENVIRONMENTAL PROTECTION AGENCY)
FOR EXCEPTION TO THE COMBINED)
SEWER OVERFLOW REGULATIONS)

MR. WILLIAM M. COX APPEARED ON BEHALF OF THE VILLAGE OF HARTFORD.

MR. THOMAS DAVIS APPEARED ON BEHALF OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

DISSENTING OPINION (by J. Theodore Meyer):

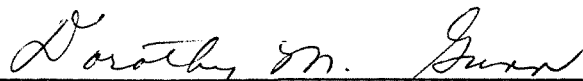
I am voting Nay for the following reasons. The Mississippi River is not an exclusive sewer for small dischargers of waste while requiring larger dischargers of waste to conform to state and federal effluent standards. Additionally I am concerned, what was the disposition of funds received by the Village as a result of the U.S. Army Corps of engineers flooding of the Hartford waste water treatment plant? Generally the Corps pays compensation for its taking of property and certainly the flooding of a waste water treatment plant is a taking of real property.



J. Theodore Meyer
Board Member

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 15th day of January, 1986.



Dorothy M. Gunn
Illinois Pollution Control Board