

ILLINOIS POLLUTION CONTROL BOARD
November 17, 1988

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

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

This matter is before the Board on petitioner the City of LaSalle's (LaSalle) April 15, 1988 motion for modification of its municipal compliance schedule and extension of the temporary combined sewer overflow (CSO) exception granted by this Board on April 1, 1987. The Illinois Environmental Protection Agency (Agency) filed a response on May 6, 1988. On May 19, 1988 this Board directed LaSalle to file a pleading addressing two issues raised by the Agency: (1) a complete description of LaSalle's inability to meet its previous compliance schedule; and (2) LaSalle's reaction to the Agency's revised compliance schedule, which differed from the revised schedule submitted by LaSalle in its April 15, 1988 motion. LaSalle filed its response on June 6, 1988, and submitted a status report on August 29, 1988. The Agency has not replied to either filing.

The temporary CSO exception granted by the Board on April 1, 1987 is effective until July 1, 1990 if LaSalle files an amended petition for exception on or before March 1, 1990. If no amended petition is filed, the temporary exception expires on March 1, 1990. In its instant motion for modification and extension, and in its later filings, LaSalle seeks an extension of that effective date. LaSalle's request for extension is based upon a delay in completion of its design plan for improvements to the collection system and treatment plant, and a subsequent delay in the start of construction of those improvements. LaSalle maintains that these delays were caused, in part, by its participation in an Illinois grant program which provided financing for a portion of the project, and by LaSalle's failure to anticipate the delay between the public hearing in this matter and the Board's grant of the temporary exception. LaSalle states that it does not seek to shift responsibility for the delays, but simply wishes to explain that there were facts and developments which were not anticipated in February 1986, when the initial compliance schedule was developed. Thus, at the suggestion of the Agency's May 6, 1988 response, LaSalle seeks modification of the compliance schedule as follows:

Collection System

Advertise for Bids	June 1, 1988
Initiate Construction	September 15, 1988
Complete Construction	May 15, 1989

Treatment Plant

Advertise for Bids	September 1, 1988
Initiate Construction	November 1, 1988
Complete Construction	July 1, 1989

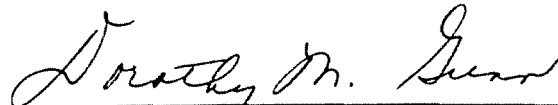
(In fact, LaSalle's August 29, 1988 status report states that LaSalle is slightly ahead of both of these schedules.) LaSalle asks that the temporary CSO exception be extended to July 1, 1991, with an amended petition due on or before March 1, 1991. The two-year period after completion of the improvements is to allow time to gather full operational data and make any necessary corrective actions, as provided in the Board's April 1, 1987 Opinion and Order.

LaSalle's motion for modification and extension is granted, with terms as set forth above.

IT IS SO ORDERED.

J. D. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 17th day of November, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board