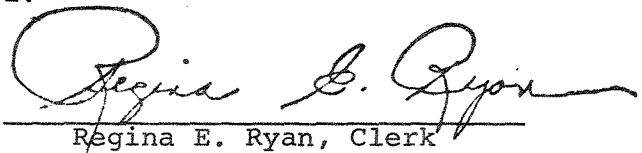


In order to make a proper decision in this case it is necessary for the Board to understand the reasons behind the abandonment of the plan to send the Silvis waste into the treatment plant of the City of East Moline. The only reason given in the record is that new regulations "caused the City of East Moline plant to be out of compliance". The regulations are referred to as "federal" ones, when in fact they are probably the regulations established and promulgated by the Pollution Control Board regarding secondary treatment plant performance and new dates for the completion of facilities with secondary treatment that discharge into the Mississippi River. Those regulations which were adopted by the Board on January 6, 1971, provided essentially that all wastes discharged to the Mississippi shall receive a minimum of secondary treatment by December 31, 1973. In addition, the regulation upgraded the performance levels for secondary plants. It is unclear from the record in this case which part of the regulation adopted by the Board caused the East Moline plant to be out of compliance as of the date of adoption of the regulations. This matter must be explained more fully to the Board because the Board has consistently taken the position that it favors the use of larger plants where possible. This regional, large plant approach makes the cost of waste treatment less and in many cases improves the efficiency of the treatment process.

It may very well be that after we receive a response to this opinion and order we will order the City of Silvis to further explore and in fact build the interceptor to the City of East Moline plant as stated above. However, the Board has insufficient evidence to make any determination of the issue. In order to further inform the Board, we therefore order that the City of Silvis and the Environmental Protection Agency submit to the Board on or before October 29, 1971, a full and complete explanation as to the obstacles which prevent the City of Silvis from connecting to the treatment plant of the City of East Moline. This report shall include inter alia, a detailed explanation of the problems caused by the new regulations which allegedly affect the City of East Moline plant.

This opinion constitutes the Board's finding of fact and conclusions of law.

I, Regina E. Ryan, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order this 18th day of October, 1971.


Regina E. Ryan, Clerk