

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1986

IN THE MATTER OF:)
)
APPLICATION FOR LAKE MICHIGAN)
PERMIT NO. 190 LM FOR) PCB 86-95
WAUKEGAN PORT DISTRICT)

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

This matter comes before the Board upon a June 27, 1986 Illinois Department of Transportation (IDOT) request for approval of a permit for the Waukegan Port District's (Port District) project which included the replacement of the failing dockage system in Waukegan Harbor and expansion of the system into part of the harbor currently used for moorings. By order dated July 11, 1986 the Board found the permit application deficient and ordered the submittal of additional information within 45 days.

By letter dated February 13, 1987, the Port District's engineer stated that:

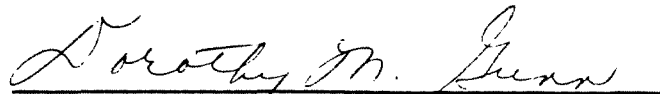
"The project commenced upon receipt of the Corp of Engineers Permit to construct the project. The project work was completed by December 20, 1986. The work was performed in accordance with the plans and specifications as well as the requirements of the various permitting agencies."

February 13, 1987 letter at 2.

Since the Board never authorized signature of the permit by the Chairman, the latter statement is clearly erroneous. As this record contains no explanation as to why the project was completed prior to issuance of a valid permit, the Board declines to further consider this matter. The Chairman is directed to return the permit materials to IDOT unsigned and the Clerk is requested to send a copy of this Order to the Army Corps of Engineers. This matter is dismissed.

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 5th day of March, 1987, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board