

The County and all municipalities and Sanitary districts have authority to construct, acquire, and operate sewage treatment facilities (Ill. Rev. Stat., ch. 24, § 11-141-2 (Municipalities); ch. 34, § 3111 (counties); ch. 42, §§ 306, 306.1 (sanitary districts)). All have the power of condemnation without regard for municipal or sanitary district boundaries (ch. 24, § 11-141-2; ch. 34, § 3110; ch. 42, § 307). Municipalities and sanitary districts may accept and treat sewage from outside their boundaries (ch. 24, § 11-146-1; ch. 42, § 316); may contract with one another, if adjacent, for the common construction or use of facilities (ch. 24, § 11-147-1); and may contract for the county to provide sewage treatment, the local government paying its share of costs (ch. 24, § 11-147-4; ch. 34, § 3131). All these governments have authority to raise funds by revenue and general obligation bonds, by user and connection charges, by general taxation, and by special assessment under the new Constitution effective July 1 (R. 168).

The Northeastern Illinois Planning Commission, after extensive study, has adopted a Regional Wastewater Plan for the Chicago metropolitan area. This plan, endorsed by the Environmental Protection Agency at our hearings (R. 149), contemplates a nine-plant system consisting of the existing plants operated by Glen Ellyn and West Chicago and by the Wheaton and Hinsdale Sanitary Districts; a consolidation of the existing Elmhurst and Salt Creek Sanitary District plants; and new plants at Naperville, Woodridge, and (two) in the Addison-Woodridge area (See NIPC, Regional Wastewater Plan, adopted March , 1971; R. 59-61, 63-64). This plan appears, on the basis of the evidence so far before us, to be an entirely reasonable means of eliminating the present problem. In the absence of contrary evidence, we think it should be carried out at once.

We could draft regulations prescribing exactly which government is to build which plant. It would appear sensible, if nothing better can be worked out in a reasonable time, that the Wheaton and Hinsdale Sanitary Districts and Elmhurst, Glen Ellyn, and West Chicago each take responsibility for treatment in its region, since they are operators of existing plants that are to be expanded to become parts of the new plan, and that the County build the new plants. Or we could order everyone else to contract for the County to supply service everywhere. We shall not hesitate to order just this if the parties and the legislature cannot agree on a better institutional framework such as a single county-wide district as suggested above. But we propose to allow six months for such a framework to be created before doing so. Consequently the present proposal is to require the implementation of the NIPC plan by January, 1975, allowing six months for a resolution of the administrative