

ILLINOIS POLLUTION CONTROL BOARD
August 26, 1991

VILLAGE OF FOX RIVER GROVE,)
)
) Petitioner,)
)) PCB 91-104
) v.) (Variance)
))
) ILLINOIS ENVIRONMENTAL)
) PROTECTION AGENCY,)
))
) Respondent.)

DISSENTING OPINION (by J.D. Dumelle and B. Forcade):

We dissent in this case because we believe a hearing should be held. To date, three objections have been filed opposing the grant of this variance. Unfortunately, the only objection which was filed timely, and this mandated a hearing was withdrawn. After this, however, the McHenry County State's Attorney as well as a private citizen requested a hearing.

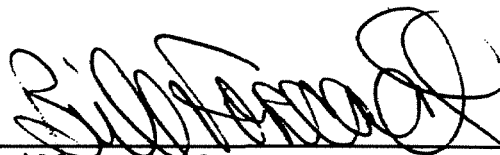
In any variance hearing the Board has the authority, pursuant to Section 37(a) of the Illinois Environmental Protection Act, to order a hearing should it feel the need to do so. In this particular case, the Village of Fox River Grove has indicated that industrial solvents are present within its water supply. We would like to know the identity of the source of this pollution, where it is located in respect to the well, how long it has been going on, what the village intends to do about it and what health effects are predicted for the residents who regularly consume this water.

Although we realize that an expedited decision has been requested by the petitioner and that development may be stalled by a normal variance period, we are of the opinion that safeguarding the public's water supply far outweighs the possibility of delaying construction. Accordingly, we would set this matter for hearing in order to accumulate all information possible.

For these reasons, we respectfully dissent.

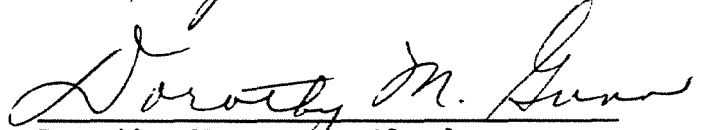


Jacob D. Dumelle, P.E.
Board Member



Bill Forcade
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Opinion was submitted on the 3rd day of September, 1991.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board