

ILLINOIS POLLUTION CONTROL BOARD  
August 30, 1990

HORACE FILE, et al, )  
 )  
 ) Petitioners, )  
 ) ) PCB 90-94  
 ) v. ) (Siting Review)  
 ) )  
 ) D & L LANDFILL, INC., )  
 ) BOND COUNTY BOARD OF )  
 ) SUPERVISORS, COUNTY OF BOND, )  
 ) STATE OF ILLINOIS, )  
 ) )  
 ) Respondents. )

DISSENTING OPINION (by J.D. Dumelle):

My reasons for dissenting have to do with the wide discrepancy between the testimony on the need for the landfill and the official IEPA report on the same subject (Criterion No. 1).

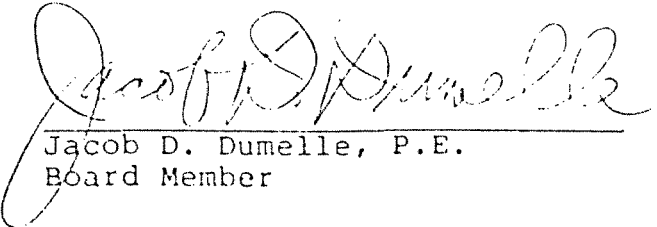
Two engineers employed by the landfill applicant testified that the remaining capacity was "minimal" or "two years based on our calculations". (R. 52, 58). Yet the official IEPA report issued March 8, 1988 (Ex. 10) showed a 1987 remaining capacity of 16 years. This is now 1990 and thus 3 years should be subtracted from that 16 year capacity figure. To me, 13 years of remaining capacity is an ample amount to justify reversal on Criterion No. 1.

It is important to note that the capacity information in the IEPA report was furnished by the applicant. Thus the applicant's two witnesses are contradicting the applicant's previous data submitted to IEPA.

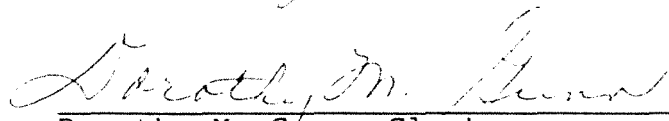
All gate receipts at landfills must be accurately reported and a charge is levied on the quantities recorded which is paid to IEPA. Has the available capacity at this landfill dropped from "13 years" to "2 years" because of underreporting (and consequently underpayment) of quantities received? I urge IEPA to investigate this marked discrepancy.

Finally, I would have taken official notice of the 1989 IEPA report on landfill capacities for whatever it shows on the subject of the need for the instant landfill.

For these reasons I dissent.

  
Jacob D. Dumelle, P.E.  
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 5th day of September, 1990.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board