

ILLINOIS POLLUTION CONTROL BOARD  
February 25, 1988

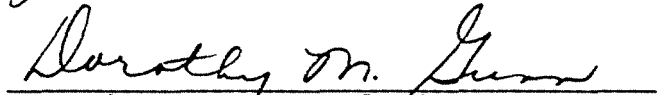
WASTE MANAGEMENT OF ILLINOIS )  
INC., a Delaware Corporation, )  
 )  
Petitioner, )  
 )  
v. ) PCB 87-75  
 )  
LAKE COUNTY BOARD, )  
 )  
Respondent. )

DISSENTING OPINION (by J. Theodore Meyer):

I dissent from the majority order denying Waste Management of Illinois Inc.'s (WMII) motion to reconsider the Board's Opinion and Order of December 17, 1987. As I stated in my dissent to that majority opinion, I believe that the procedures utilized under the county ordinance in this case were fundamentally unfair. Because of the use of these fundamentally unfair procedures, I feel that the proceedings were void ab initio. Thus, the case should be remanded to the county for new hearings on the application. For this reason, I would grant WMII's motion for reconsideration.

  
J. Theodore Meyer  
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 25<sup>th</sup> day of February, 1988.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board