

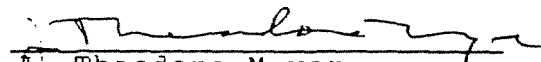
ILLINOIS POLLUTION CONTROL BOARD
October 1, 1987

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO 35 ILL.)
ADM. CODE 215.204, 215.211,) R86-36
AND 215.212: HEAVY OFF-HIGHWAY)
VEHICLE PRODUCTS.)

DISSENTING OPINION (by J. Theodore Meyer):

I dissent from the majority opinion insofar as it refuses to provide an exception for Caterpillar's Joliet facility. Caterpillar has examined 540 paint formulations since January 5, 1984. Of those formulations, only one coating has been found that meets both the 3.5 lbs/gal VOM standard and Caterpillar specifications (R. at 317-8). That coating is presently being used in shop trials at the Joliet plant (R. at 318), but Caterpillar is unable to determine whether the coating will be adaptable for production purposes by the December 31, 1987, deadline (Public Comment #2, filed September 15, 1987).

Illinois has traditionally been the home of farm implement manufacturing, and agriculture is the largest sector of the state's economy. Caterpillar is the state's largest manufacturing employer. I also note that Caterpillar has historically been a good corporate citizen in environmental matters. Given the depressed agricultural and manufacturing economy, and the fact that Caterpillar has made good-faith efforts to comply with this Board's regulations, I would grant Caterpillar an additional eighteen months to comply with the new VOM standards for heavy off-highway vehicle products.


Theodore Meyer
Board Member

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 5th day of October, 1987.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board