

ILLINOIS POLLUTION CONTROL BOARD
January 13, 1983

WILL COUNTY PRODUCE COMPANY and)
S & T COMPANY,)
)
Petitioners,)
)
v.) PCB 82-129
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

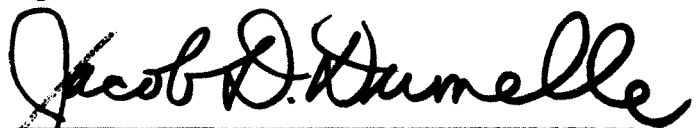
CONCURRING OPINION (by J.D. Dumelle):

My reason for concurring is because I feel the 18 months granted in this case by the Board is too short. I would have opted for a longer period, even up to the 5-year statutory maximum.

This is a de minimus violation of the Noise Rules. The Opinion on p. 2 quotes the only complainer as not wishing to force Will County Produce Co. to spend "a lot of money".

How often is a patio outside a beauty parlor used for hair treatment and facials in the Illinois climate? This is not a residential patio used by a family with guests. Given the hot and muggy Illinois climate in summer the beauty shop patio is probably little used.

With a longer period of time for the variance to run some of the refrigeration units might well wear out and be replaced by quieter units. But with the short 18 month period here granted that option will probably not be possible.



Jacob D. Dumelle, Chairman

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 13th day of January, 1983.



Christan L. Moffett, Clerk
Illinois Pollution Control Board