


ILLINOIS POLLUTION CONTROL BOARD  
May 14, 1981

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. ) PCB 78-136  
 )  
VILLAGE OF ROCKDALE, )  
 )  
Respondent. )


CONCURRING OPINION (by J. Anderson):

I believe that, when considering proposed stipulations in enforcement cases, the Board should avoid remedies that include authorizing specific non-compliance with the Board's discharge standards for an uncertain length of time and under circumstances that variance proceedings are designed to address.

In this specific case, however, factors such as the age of this case, the compelling need to avoid even more delay in upgrading the treatment system and the reasonable showing of hardship tend to offset the notice, justification and deliberation distinctions between enforcement and variance proceedings.

  
\_\_\_\_\_  
Joan G. Anderson

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 25<sup>th</sup> day of June, 1981.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board