

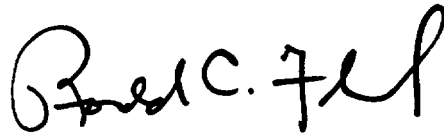
ILLINOIS POLLUTION CONTROL BOARD
August 21, 1997

DAYTON HUDSON CORPORATION,)	
)	
Complainant,)	
)	
v.)	PCB 97-134
)	(Citizen Enforcement - Land)
CARDINAL INDUSTRIES, INC., and)	
DANIEL E. CARDINAL, JR.,)	
)	
Respondents.)	

DISSENTING OPINION (by R.C. Flemal):

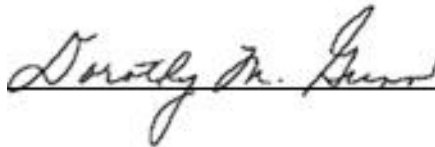
I believe that jurisdiction for the Board to hear cost-recovery actions is not as explicit in the Act as the majority would have it. On this basis, I do not believe that it is appropriate for the Board to impose itself into an area that has been exclusively within the authority of the courts.

For this reason, I dissent.



Ronald C. Flemal

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above dissenting opinion was submitted on the 22nd day of August, 1997.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

