

ILLINOIS POLLUTION CONTROL BOARD  
October 25, 1990


PEOPLE OF THE STATE )  
OF ILLINOIS, )  
 )  
Complainant, )  
 )  
v. ) PCB 90-13  
 ) (Enforcement)  
 )  
ABC RAIL CORPORATION, )  
a Delaware corporation, )  
 )  
Respondent. )

DISSENTING OPINION (by J.D. Dumelle):

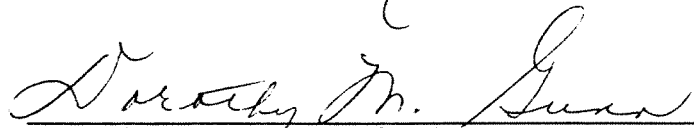
My reason for dissenting lies in the recent passage and signing of Public Act 86-1363 which became effective on September 7, 1990.

This Act authorizes the Board "to consider any matters of record" on five specific factors. Since the instant stipulation was executed before September 7, 1990 little or no information on these factors is in the record before the Board.

I would have remanded this stipulation to the parties to renegotiate in light of the additional factors in Public Act 86-1363.

  
\_\_\_\_\_  
Jacob D. Dumelle  
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify the above Dissenting Opinion was submitted on the 1<sup>st</sup> day of November, 1990.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board