

ILLINOIS POLLUTION CONTROL BOARD
July 11, 1985

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
)
Complainant,)
)
v.) PCB 83-61
)
MISSOURI PORTLAND)
CEMENT CO.,)
)
Respondent)

DISSENTING OPINION (by Messrs. J.D. Dumelle and Walter J. Nega):

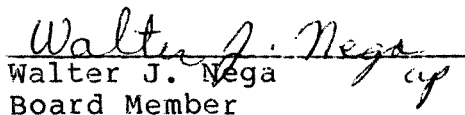
For the reasons previously enumerated in Chemetco, Inc., PCB 83-2, Dissenting Opinion, February 20, 1985, by Chairman Dumelle, we dissent.

An Illinois industry has here asked this Board to accept a stipulation and a \$20,000 penalty. A bare majority has chosen not to do so.

We feel that this course of action should have been ended and the penalty accepted. Business needs certainty - not extended litigation and additional legal fees and more delay.

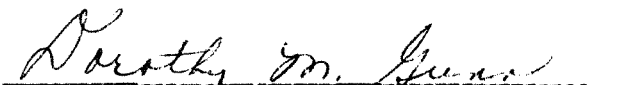


Jacob D. Dumelle, P.E.
Chairman



Walter J. Nega
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 16th day of July, 1985.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board