

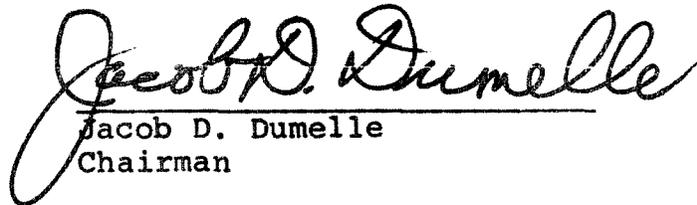
ILLINOIS POLLUTION CONTROL BOARD
August 2, 1984

| | | |
|--------------------------|---|----------|
| MIDWEST SOLVENTS COMPANY |) | |
| OF ILLINOIS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 84-5 |
| |) | |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

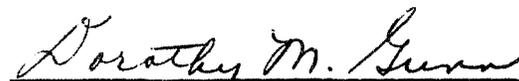
DISSENTING OPINION (by J. D. Dumelle):

The Board majority has dismissed the June 29, 1984 Motion to Extend Variance for want of an affidavit. An alternate action could have been to hold the motion to the next meeting and again by telephone request an affidavit. Or the Board could have docketed the motion as a new variance and asked to have it conformed to the requirements for variance petitions.

My concern is that an Illinois industry may now feel from this Board action that form is being worshiped over substance. Decisions to stay in Illinois or to expand in Illinois are influenced by the perception of agency attitudes toward industry. Illinois is a major industrial state and all of us should work to keep it so.


Jacob D. Dumelle
Chairman

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 6th day of August, 1984.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board