

ILLINOIS POLLUTION CONTROL BOARD
December 15, 1983

AMERICAN LEGION POST NO. 764)
of TOLEDO, ILLINOIS AND THE)
VILLAGE OF TOLEDO, A MUNICIPAL)
CORPORATION,)
)
Petitioners,)
)
v.) PCB 83-99
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

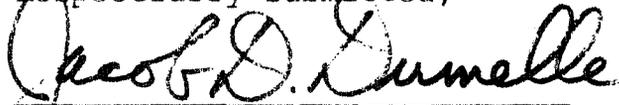
CONCURRING OPINION (by J. D. Dumelle):

My reason for concurring lies in Paragraph No. 3 of the Order (p.7). I do not feel that the Old American Legion Home should remain vacant until August 13, 1984. The Legion will have to heat and insure a vacant building for eight months.

The majority Opinion quotes the Agency notation that no complaints or reports of sanitary sewer overflows or basement back-ups have been received (p. 2). Thus, allowing the Old Legion Home to be sold and used should not affect the environment in any material way.

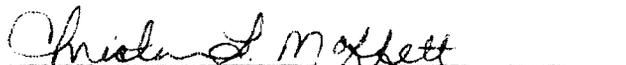
The Board should not require that this building be unused where the environment is not affected.

Respectfully submitted,



Jacob D. Dumelle
Chairman

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Concurring Opinion was filed on the 30th day of December 1983.



Christan L. Moffett, Clerk
Illinois Pollution Control Board