

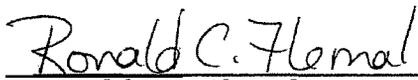
ILLINOIS POLLUTION CONTROL BOARD
July 7, 1995

IN THE MATTER OF:)
)
PETITION OF CONVERSION SYSTEMS,)
INC., FOR ADJUSTED STANDARD FROM) AS 93-4
35 ILL. ADM. CODE 811 (Liner)) (Adjusted Standard - Land)

CONCURRING OPINION (by R.C. Flemal):

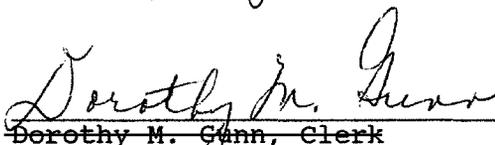
On the basis that Conversion Systems has made the demonstrations required of it under the Environmental Protection Act, the Board today grants an adjusted standard in this matter. I agree with that outcome, and thus join the majority.

However, in addition to the grant of the adjusted standard, the Board in today's majority action also opens a rulemaking to further consider the subject of the adjusted standard. I believe that this is an inappropriate action. It has the effect of putting off the Board's final resolution of this matter, and makes the adjusted standard less than that which is contemplated under the Act. It is less because it is uncertain relief, subject to change. It is less because it obligates Conversion Systems to justify again the relief that it has already justified. It is less because it keeps Conversion Systems in regulatory limbo.



Ronald C. Flemal *ACL*
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above concurring opinion was submitted on the 12th day of July, 1995.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board