

ILLINOIS POLLUTION CONTROL BOARD
February 22, 1990

WILL COUNTY ENVIRONMENTAL)
NETWORK,)
)
Complainant,)
)
v.) PCB 89-64
) (Enforcement)
GALLAGHER ASPHALT,)
)
Respondent.)

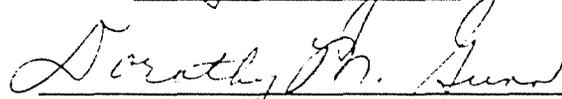
DISSENTING OPINION (by J. Theodore Meyer):

I dissent from the majority's decision to grant Gallagher Asphalt's motion for extension of time to file its report evaluating possible noise reductions. On the one hand, the majority's order states that the report is to discuss and characterize noise levels: on the other hand, the majority orders that Gallagher not operate "the noise producing equipment, trucks, or other devices" before 6 a.m. This seems inconsistent, as though the majority may have already determined that this prohibition will provide relief. This situation further highlights the difficulties with these kinds of cases, as I stated in my January 11, 1990 dissent in this case. Therefore, I dissent from the majority order issued today.



J. Theodore Meyer
Board Member

I, Dorothy M. Gunn, hereby certify that the above Dissenting Opinion was filed on the 22nd day of February, 1990.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board