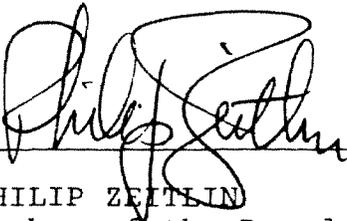


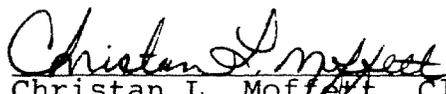
Finally, it seems likely that these cases may take an unduly long time to even get started. Pursuant to new Rule 604, we must apparently wait 60 or 74 days before a hearing is set, or before a petitioner even knows whether its petition will be opposed by the Environmental Protection Agency.

Rule 203(i)(5) of Chapter 3 seems to have been designed to allow the Board to assure itself that the thermal standards of Rule 203 are adequate. If used for that limited informational purpose, the Rule would be suitable, and perhaps provide a basis for additional proceedings to correct any damage found. But to require petitioners to present information about compliance with undefined standards, which information may then be used, in the absence of due process, as a basis for mandatory Orders of the Board seems terribly unfair.

I must respectfully dissent.


PHILIP ZEITLIN
Member of the Board

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Dissenting Opinion was submitted on the 22ND day of March, 1977.


Christan L. Moffett, Clerk
Illinois Pollution Control Board