

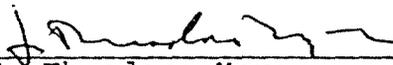
ILLINOIS POLLUTION CONTROL BOARD
March 9, 1989

NORTHERN ILLINOIS ANGLERS')
ASSOCIATION, an Illinois)
Corporation,)
)
Complainant,)
)
v.) PCB 88-183
)
THE CITY OF KANKAKEE)
a Municipal Corporation,)
)
Respondent.)

DISSENTING OPINION (by J. Theodore Meyer):

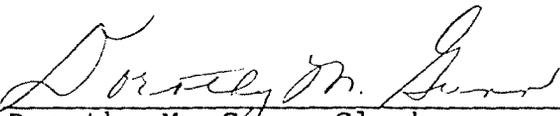
I dissent from the majority's decision to deny the City of Kankakee's motion for reconsideration. I agree with Kankakee that the circuit court, in its May 26, 1987 consent decree, retained jurisdiction of alleged violations of the fecal coliform effluent limitation. Provision (G) of that consent decree clearly states that the circuit court retains jurisdiction of the matter for the purposes of enforcing the terms and conditions of the decree. As the majority notes, the consent decree also states that Kankakee shall pay a \$500 fine for violations of the fecal coliform standard after January 1, 1988. I believe that this language is clear, and that the fecal coliform count of the complaint should be dismissed.

For this reason, I dissent.



J. Theodore Meyer
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 13th day of March, 1989.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board