

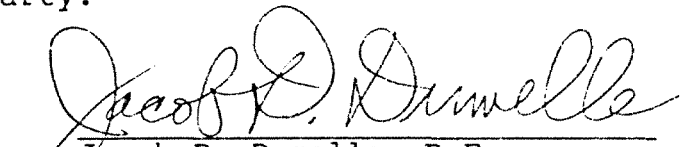
ILLINOIS POLLUTION CONTROL BOARD
August 30, 1990

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant)
)
v.) PCB 90-89
) (Enforcement)
)
FRED JOHNSON, HERMAN L. LOEB)
JOHNSON & BRIGGS TANK)
TRUCK SERVICE a/k/a JOHNSON)
& BRIGGS TANK TRUCK & HEATER)
SERVICE, an Illinois Corporation,)
)
Respondent.)

DISSENTING STATEMENT (by J.D. Dumelle):

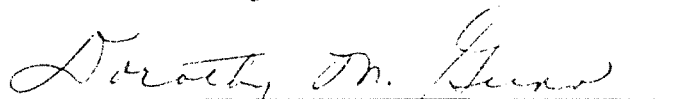
The fact that IEPA did not respond to this Motion to Dismiss leads me to believe the Herman L. Loeb was never properly given notice.

I would have granted dismissal. The IEPA should respond to all motions in which it is a party.



Jacob D. Dumelle, P.E.
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Statement was submitted on the 5th day of September, 1990.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board