


ILLINOIS POLLUTION CONTROL BOARD
September 27, 1990


INDUSTRIAL FUELS & RESOURCES/)
ILLINOIS, INC., an Illinois)
Corporation,)
)
Petitioner,)
)
v.) PCB 90-53
) (Siting Review)
CITY COUNCIL OF THE CITY)
OF HARVEY,)
)
Respondent.)

DISSENTING OPINION (by M. Nardulli):

While I agree with the majority's position set forth in the discussion of criterion 1 that it is the applicant who defines the service area (see, Metropolitan Waste Systems, Inc. v. City of Marseilles, PCB 89-121 Supplemental Opinion at 4-5 (December 6, 1989), I believe that sufficient evidence was presented by Industrial on each of the statutory criterion and that the City's decision denying site approval is against the manifest weight of the evidence. Therefore, I dissent from the majority opinion and order.


Michael L. Nardulli
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 4th day of October, 1990.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board