

ILLINOIS POLLUTION CONTROL BOARD
November 7, 1991


VILLAGE OF CHANNAHON,)
)
 Petitioner,)
)
 v.) PCB 91-121
) (Variance)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

DISSENTING OPINION (by J.D. Dumelle):

The majority by its action in today dropping the hearing requirement has possibly prevented other citizens from testifying on the requested variance.


Once a hearing was set by the Board Order of August 22, 1991 and listed in the Board's Environmental Register any member of the public interested in testifying would have felt that he or she would have that opportunity. The public would have relied upon the Board's Order and obviously would not file additional written objections.

The Environmental Protection Act, adopted in 1970 without a dissenting vote, was designed for maximum public participation. The majority's decision today goes against that important principle and may have prevented public participation.



Jacob D. Dumelle, P.E.
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Opinion was submitted on the 12th day of November, 1991.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board