


ILLINOIS POLLUTION CONTROL BOARD
January 18, 1991

GALLATIN NATIONAL COMPANY,)
)
Petitioner,)
)
v.) PCB 90-183
) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

CONCURRING OPINION (by B. Forcade):

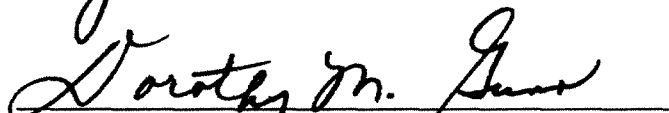
I respectfully concur with today's Opinion. I agree with the action taken, but would have provided the following additional explanation. My reading of today's action is that it in no way reduces the environmental protection which must be engineered into the design of this facility. Gallatin must still meet all technology standards; it must also demonstrate that it will not cause any violation of background water quality standards. Gallatin agrees that it must make a demonstration of no addition of contaminants to the existing groundwater system. (R. 27-32; Reply Brief p. 3-4). I see nothing in today's order which prevents the Agency from making the best possible permit decision, premised on all available information. In short, I see no reduction in the regulatory compliance or environmental protection which Gallatin must meet.

I am somewhat concerned about the short time frames established for Agency action following submissions by Gallatin. Presumably the Agency would seek reconsideration if these time frames are too short.



Bill S. Forcade
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 30th day of January, 1991.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board