ILLINOIS POLLUTION CONTROL BOARD
December 4, 1990

DOUGLAS FURNITURE OF CALIFORNIA, INC.,	)	
Petitioner,	)	
v.	)	PCB 90-22 (Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

DISSENTING OPINION (by B. Forcade):

I respectfully dissent from today's action based on reasoning more fully explained in my dissent in The Grigoleit Company, v. IEPA, PCB 89-184 (November 29, 1990). I do not believe extension of the doctrine of Wells Manufacturing Co., v. IEPA, 195 Ill. App. 3d 593, 552 N.E.2d 1074 (1st Dist. 1990) is warranted beyond denials for claimed statutory violations relating to "unreasonable interference". Here, Douglas had actual knowledge of the Agency's assertions of a claimed failure to meet emissions standards by no less than five letters and meetings between November 24, 1987, and May 10, 1988.

Bill S. Forcade
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 December, 1990.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board