

ILLINOIS POLLUTION CONTROL BOARD  
June 7, 1990

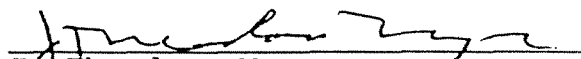
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 90-106
	)	(Enforcement)
VILLAGE OF IPAVA,	)	
	)	
Respondent.	)	

DISSENTING OPINION (by J. Theodore Meyer):

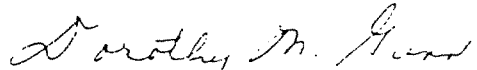
I dissent from the majority's acceptance of the complaint in this case.

I again object because this case was not brought in the name of the people of the State of Illinois. If the People had been listed as a complainant in addition to the Illinois Environmental Protection Agency, the Board could potentially assess costs and reasonable fees against the Village of Ipava. Ill.Rev.Stat.1989, ch. 111 1/2, par. 1042(f). I am pleased to note that in three recent enforcement complaints filed by the Attorney General, the actions are brought in the name of the People, and the requested relief includes assessment of costs and fees. (People v. J.D. Plating Works, Inc., PCB 90-103, People v. L & B Wood Corporation, PCB 90-104, and People v. Evangelical Health Systems, PCB 90-105.) I would encourage the Attorney General to continue in this direction. Therefore, I believe that the People of the State of Illinois should be an additional complainant in this case.

For these reasons, I dissent.

  
J. Theodore Meyer  
Board Member

I, Dorothy M. Gunn, hereby certify that the above Dissenting Opinion was filed on the 8<sup>th</sup> day of June, 1990.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board