

ILLINOIS POLLUTION CONTROL BOARD
July 13, 1989

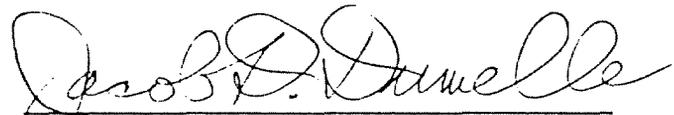
WILLIAM E. BRAINERD,)
)
 Complainant,)
)
 v.) PCB 88-171
)
 DONA HAGAN, DAVID BROMAGHIM,)
)
 and PHIL ROBBINS, d/b/a/ THE)
 GABLES RESTAURANT,)
)
 Respondent.)

CONCURRING OPINION (by J.D. Dumelle):

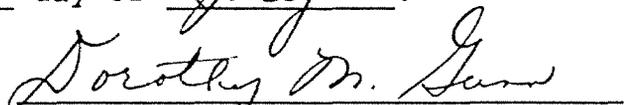
The majority in approving the 3-month extension of the compliance date to September 27, 1989 has given the Respondent a total of 5 full months to come into compliance.

The Respondent is not a governmental unit, but a restaurant, and does not need to obtain "sealed bids" as alleged. Quotations are sufficient and should only take a few weeks to obtain.

I would have set the new compliance date at July 31, 1989. If breeched, this earlier date would have allowed the Complainant time to obtain a Circuit Court order for compliance before the summer months (which are the critical ones for noise exposure) have passed.


Jacob D. Dumelle, Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was submitted on the 14th day of July.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board