

ILLINOIS POLLUTION CONTROL BOARD
August 30, 1990

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 90-84
) (Enforcement)
)
 WE-TOAST BREAD COMPANY, INC.,)
)
 Respondent.)

PAMELA CIARROCCHI, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF COMPLAINANT.

ROBERT MELTZER, ROBERT MELTZER & ASSOCIATES, APPEARED ON BEHALF OF RESPONDENT.

CONCURRING OPINION (by J.C. Marlin):

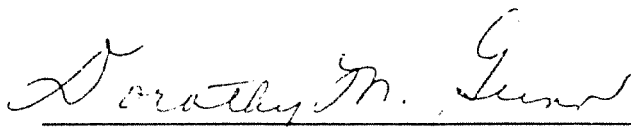
At the Board's meeting of August 9, 1990, the vote on the Order accepting this stipulation was evenly divided: 3-3 with one member absent. The issue which separated the Board was the stipulated penalty amount. Given the members' interest in the size of the penalty, I chose to support an Order which yielded us further information regarding the parties' agreement to the stipulated amount. I concur with this Order without further comment because I accomplishes that aim.



John C. Marlin, Chairman

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was submitted on the 5th day of September, 1990.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board