

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1986

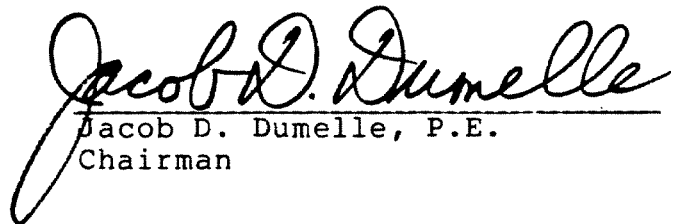
MODINE MANUFACTURING COMPANY,)
)
 Petitioner,)
)
 v.)
)
ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB 83-18


CONCURRING OPINION (by J.D. Dumelle):

This case was filed by Modine on February 9, 1983. That was 3 years and 4 months ago. The Board noted in its order of November 7, 1985 that "This proceeding has been pending far too long, especially since Modine has been able to avoid the application of the rule...ever since the original variance was filed.

Because of the delays in this 40-month proceeding and the numerous Board orders required to get this case to decision (July 19, 1984; February 20, 1985; November 7, 1985) and the Board tracking effort required during all of that period, I concur.


Jacob D. Dumelle, P.E.
Chairman

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 23rd day of June 1986.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board