


ILLINOIS POLLUTION CONTROL BOARD
December 20, 1990

INDIAN REFINING,)
)
 Petitioner,)
)
 v.) PCB 90-241
) (Provisional Variance)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

DISSENTING OPINION (by J.D. Dumelle):

My reason for dissenting lies in the inadequacy of the materials furnished. There is no estimate of the peak SO₂ levels that will be reached down wind, especially under downwash conditions. There is no statement by either Indian Refining or by IEPA that the Federal National Ambient Air Quality Standards ("NAAQS:) will not be exceeded. There is no statement that the 2400 lbs of SO₂ per hour limit is related to air quality or to the process weight rule.

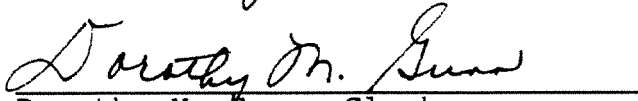
Failing these assurances in the record, which I believe are necessary before the Board may act, I respectfully dissent.



Jacob D. Dumelle, P.E.
LCDR-CEC-USNR (Ret)
Board member

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Opinion was submitted on the 22nd day of February, 1991.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board