

ILLINOIS POLLUTION CONTROL BOARD
December 29, 1983

G. D. SEARLE & CO. AND SEARLE)
FOOD RESOURCES, INC. AND PARK)
FOREST SOUTH UTILITIES COMPANY,)
)
Petitioners,)
)
v.) PCB 83-73
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)


CONCURRING OPINION: (by J. Anderson):

I concur because, while I support the grant of this variance, I do not believe that it should have been granted for five years.

At this time, the record in this case supports the "hardship" need only for the period of non-compliance needed to timely gather and evaluate related environmental effects data. To allow a petitioner, now in compliance, to additionally remain out of compliance while deliberating process changes or seeking a site specific rule change is not only premature but also risks setting an unacceptable precedent.


Joan G. Anderson

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 3RD day of January, 1984.


Christan L. Moffett, Clerk
Illinois Pollution Control Board