ILLINOIS POLLUTION CONTROL BOARD
June 20, 1986

CLASSIC FINISHING COMPANY, INC., Petitioner,	)	
v.	)	PCB 84-174(B)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

CONCURRING OPINION (by J.D. Dumelle):

The majority has granted variance beginning on March 14, 1985 even though the original petition was filed November 21, 1984. Ownership changed on March 1, 1985. Thus the present owners are left with 13 days of liability to State or Federal or citizen prosecution. The previous owners are now similarly liable for the period from November 21, 1984 to March 1, 1985.

Since the decision has been made to grant the variance the "balancing" between environmental harm and hardship has obviously been resolved in the company's favor. If that is so then why not fully protect an Illinois industry that provides 71 jobs in an inner city minority area? Industry needs positive signals from Illinois regulatory agencies. The majority could have easily eliminated all potential liability in this case but chose not to do so.

Jacob D. Dumelle
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
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board