

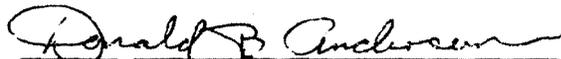
ILLINOIS POLLUTION CONTROL BOARD
December 2, 1982

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 80-111
)
CATERPILLAR TRACTOR)
COMPANY,)
)
Respondent.)

DISSENTING OPINION (by D. Anderson):

I agree that Caterpillar has violated the rules and permit conditions as found by the Board. I agree that no cease and desist order is necessary in that Caterpillar is basically in compliance with the regulations except for occasional excursions which could not be remedied by construction of additional treatment facilities. However, Caterpillar has violated the rules and some penalty is appropriate, especially where some of the excesses were caused in part by failure to adequately supervise production employees (R. 121, 127).

Therefore I dissent.



Donald Anderson, Board Member

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 10th day of December, 1982.



Christan L. Moffett, Clerk
Illinois Pollution Control Board