

ILLINOIS POLLUTION CONTROL BOARD
December 2, 1982

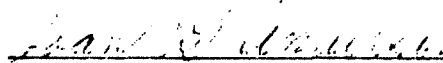
PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 75-80
)
 UNITED STATES STEEL CORPORATION,)
)
 Respondent,)
)
 and)
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Complainant,)
)
 v.) PCB 75-141
) CONSOLIDATED
 UNITED STATES STEEL CORPORATION,)
)
 Respondent.)

CONCURRING OPINION (by J. Anderson):

I appreciate the positive aspects of this settlement agreement, and feel that the Board's Order resolves the legal infirmities in the best possible manner under the particular circumstances of this case.


However, I trust that the Board's Order, which only ameliorates the "cart before the horse" situation at the back end of this case, is not viewed as favoring this sort of approach.

An enforcement proceeding, in particular one involving a stipulation, is not an acceptable forum for regulatory change. A regulatory proceeding is intended to allow the public--not just "parties"--notification of, access to, and participation in the full range of environmental and economic considerations.



Joan G. Anderson,
Board Member

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Concurring Opinion was filed on the 9th day of December, 1982.



Christan L. Moffett, Clerk
Illinois Pollution Control Board