

ILLINOIS POLLUTION CONTROL BOARD
September 1, 1977

ED WILLING,)	
d/b/a LONE PINE GUN CLUB,)	
)	
Petitioner,)	
)	
v.)	PCB 77-91
)	
ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	
)	

CONCURRING OPINION (by Mr. Dumelle):

I do not agree that the cease and desist order adopted today in PCB 76-311 is exactly the same as a variance. A variance is an absolute shield from prosecution. The cease and desist order is not.

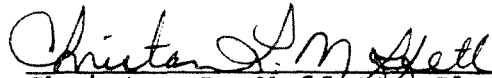
Thus the instant variance is not moot and should have been decided upon its merits.

Respectfully submitted,



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Concurring Opinion was submitted on the 23rd day of September, 1977.



Christan L. Moffett, Clerk
Illinois Pollution Control Board

~~27-255~~

26-441

27-341