

ILLINOIS POLLUTION CONTROL BOARD
August 5, 1971

AMERICAN NATIONAL BANK AND TRUST)
COMPANY, as Trustee under Trust)
No. 28512, by Harold Ableman,)
Beneficiary)
)
)
)
v.) #PCB71-132
)
)
ENVIRONMENTAL PROTECTION AGENCY)

DISSENTING OPINION (BY MR. CURRIE):

I dissent from the grant of the variance for reasons given in my separate opinion in #71-77, Wachta v. EPA (August 5, 1971), but I agree that the Agency's motion to re-open should be denied, since the Agency had ample opportunity to present its views within the time allowed by our regulations. Moreover, if this variance is to be granted it should be on condition, as suggested by Mr. Kissel's separate opinion in Wachta v. EPA, #71-77 (August 5, 1971), that a package treatment plant is installed to reduce the organic load to the overloaded facility.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the above opinion was filed this 5 day of August, 1971.

