

ILLINOIS POLLUTION CONTROL BOARD
August 30, 1990

WESTERN ILLINOIS POWER)
COOPERATIVE, INC., (n/k/a)
Soyland Power Cooperative, Inc.),)
)
Petitioner,)
)
v.) PCB 85-164
) (Permit Appeal)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

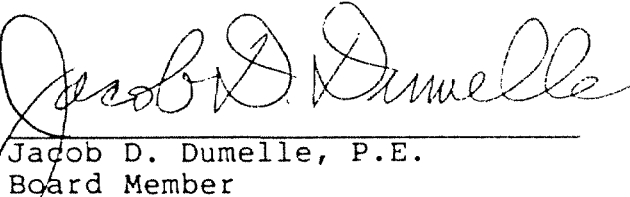
DISSENTING STATEMENT (by J.D. Dumelle):

This case is the second oldest case in the Board's backlog. It was filed on October 24, 1985. It is almost 5 years old.

The Board has been criticized by both the Federal government and by the IEPA for taking too long to decide matters before it. Furthermore in two separate filings in R90-8 the IEPA has pointedly cited the instant case as an example of Board-allowed delays.

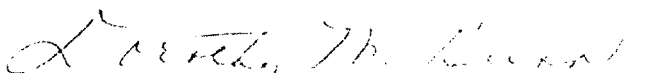
Yet the majority has again given more time for the laggard Petitioner to submit materials and to hold its hearing. I fully agree with Board Member Bill S. Forcade. This case should have been dismissed for want of prosecution. What have been the environmental consequences of the failure of the new (and presumably stricter) permit being held in abeyance by this delay?

For these reasons, I dissent.



Jacob D. Dumelle, P.E.
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Statement was submitted on the 5th day of September, 1990.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board