

ILLINOIS POLLUTION CONTROL BOARD
August 13, 1971

RICHARD S. TAUBER)
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 v.) # PCB71-171
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)
 ENVIRONMENTAL PROTECTION AGENCY)

Dissenting Opinion (by Mr. Currie):

The hardship in this case is considerable; not only is the use of the property postponed, as in many cases in which we have found the pollution risk too great to allow connection, but the houses in question are said to be "standing vacant prey to vermin and vandals." My dissent is based on my belief that the hardship in this case is identical to that of any new building that was under construction at the time the sewer ban was imposed. I have earlier voted to deny variances in such cases on the ground that to allow them--for there will be many of them--would add a significant aggregate waste load to treatment plants that cannot handle it. It may be that a satisfactory middle ground could be achieved by granting only those requests in this category in which protection of vacant buildings is most burdensome, perhaps by distinguishing between individual homes and apartment or subdivision developments. But since my vote is not necessary to grant this petition, I adhere to my previous position with the reservations suggested in this opinion.



I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that Mr. Currie submitted the above dissenting Opinion this 13th day of August, 1971.

