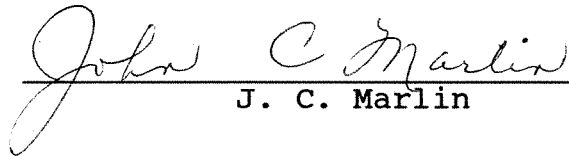


ILLINOIS POLLUTION CONTROL BOARD
April 9, 1992

ENTERPRISE LEASING CO.,)	
)	
Petitioner,)	PCB 91-174
v.)	(Underground Storage Tank
)	Fund Reimbursement
ILLINOIS ENVIRONMENTAL)	Determination)
PROTECTION AGENCY,)	
)	
Respondent.)	

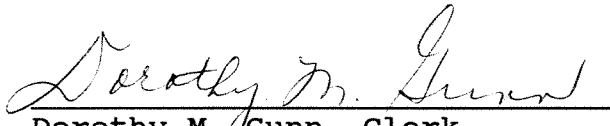
DISSENTING OPINION (by J.C. Marlin)

I decline to join the majority's opinion and order in this case. I do not believe the petitioner, having decided to remove the tank, becomes eligible to receive reimbursement from the fund for the cost of tank removal, because contamination is later found. The petitioner's costs of tank removal are not "corrective action" costs in that instance.



J. C. Marlin

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 10th day of April, 1992.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board