

ILLINOIS POLLUTION CONTROL BOARD  
September 2, 1982

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
and )  
 )  
FLORENCE FARMER, )  
 )  
Intervenor, )  
 )  
v. ) PCB 78-233  
 )  
GRANITE CITY STEEL )  
DIVISION OF NATIONAL STEEL CORPORATION, )  
 )  
Respondent. )

CONCURRING OPINION (by D. Anderson and J. Dumelle):

The majority has allowed the intervenor to add additional counts against Granite City Steel alleging violations up to the date she first requested intervention. While we agree with the majority in voiding the stipulation, we would insist that the intervenor take the case as she found it on the date of intervention. We would require either a new stipulation signed by the intervenor or a prompt hearing on the original complaint. The addition of counts at a time when the case was ready for settlement or hearing will require repetition of the preliminary motion and discovery phases of the litigation. This will result in further delay in cleaning up the air in Granite City.

  
Donald B. Anderson  
Board Member

  
Jacob D. Dumelle  
Chairman

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 10<sup>th</sup> day of September, 1982.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board