

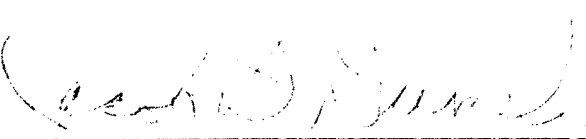
ILLINOIS POLLUTION CONTROL BOARD  
June 12, 1980


ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
 )  
Complainant, )  
 )  
v. ) PCB 79-214  
 )  
OGLE COUNTRY VIEW HOMEOWNERS' )  
ASSOCIATION, an Illinois )  
not-for-profit Corporation )  
 )  
Respondent. )

CONCURRING OPINION (by J.D. Dumelle and I.G. Goodman):


We reluctantly concur in this matter with the strong feeling that the stipulated penalty of \$300 is much too high. Only 45 or 46 persons are served by this Association; the penalty is thus in excess of \$6.00 per capita.

Furthermore, a member of the Association's Board of Directors, Mr. Jack Wells, called attention to his group's inability to pay legal fees to defend in this action (R.14). A penalty of \$100 or less would have been sufficient in our judgment.

  
\_\_\_\_\_  
Jacob D. Dumelle

  
\_\_\_\_\_  
Irvin G. Goodman

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 18<sup>th</sup> day of June, 1980.

  
\_\_\_\_\_  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board