

ILLINOIS POLLUTION CONTROL BOARD

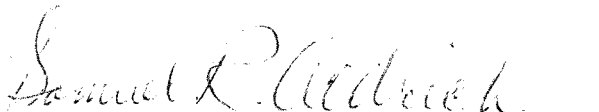
April 7, 1971

CITY OF SPRINGFIELD )  
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 V. ) PCB #70 - 55  
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 ENVIRONMENTAL PROTECTION AGENCY )

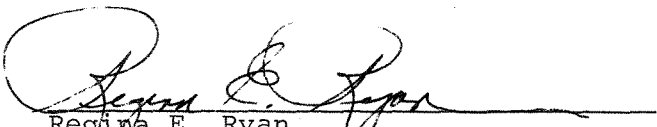
Supplemental Comments by Samuel R. Aldrich, Board Member

I support and voted for the Opinion Of The Board (by Mr. Currie) but I disagree with the distinction made between municipalities and industries or individuals, paragraph 2, page 6 of the opinion.

The opinion states: "If the City were a private individual or corporation, we think a penalty in the amount of perhaps \$20,000 would be appropriate." The fine levied by the Board was \$1,000 and the justification for not assessing \$20,000 was that it punishes the relatively innocent public and uses up municipal revenues which are limited. The inference is that assessing a penalty against an individual or corporation is different. In my view this is an oversimplification. While it can be argued with some justification that the penalty on an individual or industry cannot be as easily passed along directly to users of the goods or services because of possible competition by other suppliers, the aggregate effect of assessing larger penalties will be to increase the burden on the public as surely as in the case of penalties for municipalities.

  
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Samuel R. Aldrich  
Member, Illinois Pollution Control Board

I Regina E. Ryan, Clerk of the Illinois Pollution Control Board certify that Dr. Samuel R. Aldrich submitted the above opinion on 7 day of April, 1971.

  
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Regina E. Ryan  
Clerk, Illinois Pollution Control Board