

ILLINOIS POLLUTION CONTROL BOARD  
February 7, 1980

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 )  
 Complainant, )  
 )  
 v. ) PCB 79-194  
 )  
 VILLAGE OF STE. MARIE, )  
 )  
 Respondent. )

Concurring Opinion (by Mr. Dumelle):

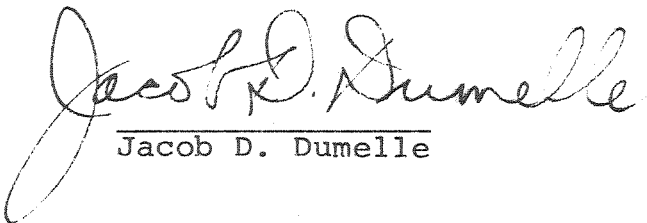
I am concurring in this decision because of doubts over the size of the penalty here levied. The Village of Ste. Marie has a population of 335. The penalty of \$300 works out to \$0.90 per capita.

Small towns, especially those in Jasper County and other portions of Southern Illinois, have great difficulty in raising revenues for municipal purposes. A penalty of this size is much too large to be afforded by the Village of Ste. Marie.

Chicago has an official population of 3,369,359. Would the Board for similar offenses have voted for a penalty on Chicago of \$3,032,000? I think not.

The penalty should have been \$100. And quicker enforcement by the Agency would have shortened the period of non-compliance.

I respectfully concur. True, it is a stipulation penalty but a tiny village such as this one is easily out-gunned by the majesty of the State in negotiations.

  
Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Concurring Opinion was submitted this 28<sup>th</sup> day of February, 1980.

Christan L. Moffett  
Christan L. Moffett, Clerk  
Pollution Control Board