

ILLINOIS POLLUTION CONTROL BOARD
July 12, 1979

PEOPLE OF THE STATE OF ILLINOIS,)
and ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainants,)
)
v.) PCB 77-162
)
WATTS TRUCKING SERVICE, INC.,)
an Iowa Corporation,)
)
Respondent.)

CONCURRING OPINION (by Mr. Dumelle):


My reason for concurring in this case is that I feel the \$3,000 penalty is far too low considering the repeated landfill violations by this operator.

On September 25, 1975 this Board assessed a penalty of \$9,000 for substantially the same violations (PCB 74-131). A cease and desist order was included in that Board Order (18 PCB 623).

On May 24, 1979 this Board assessed a penalty of \$2000 against this operator at another site (PCB 78-38, 33 PCB 563).

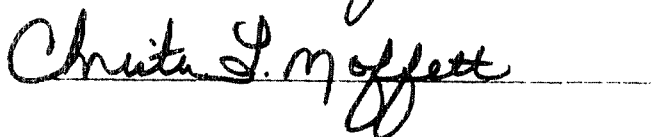
This is one of the largest landfill operations in Illinois. With 3,000 to 3,500 cubic yards of refuse being accepted daily, the yearly amounts would total at least 750,000 cubic yards to perhaps more than 1,000,000 cubic yards.

Thus we have in the instant case a large and presumably sophisticated operator who has violated a Board cease and desist order of 1975. I would have rejected the stipulation and required a far larger penalty than \$3,000.



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Concurring Opinion was adopted on the 15th day of September, 1979.



Christan L. Moffett