

ILLINOIS POLLUTION CONTROL BOARD
July 12, 1979

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 79-19
)
 JACK CHASE, d/b/a ABCOA THINNERS,)
 and MICHAEL CHASE,)
)
 Respondents.)

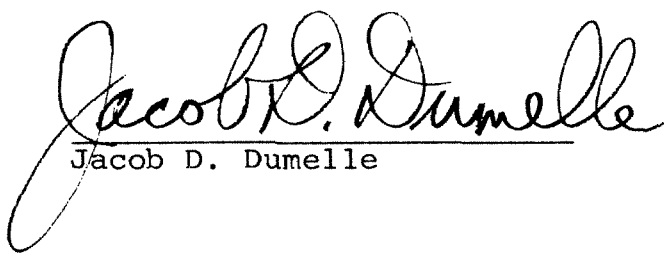
DISSENTING OPINION (by Messrs. Dumelle and Werner):

Our reason for dissenting in this case is that the \$800 penalty imposed by the Board majority is too high.

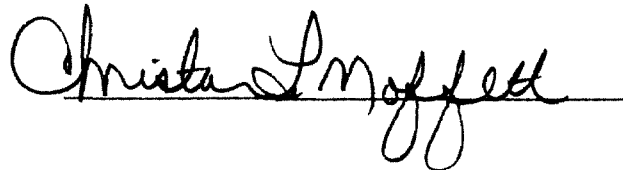
The record shows that the deposit of the barrels was done by the son of the owner of this small business. It was a mistake of judgment. The owner has taken full responsibility and has promised to do everything necessary to restore the farm property.

We have here a small and necessary business in imminent danger of bankruptcy. The penalty, considering all of the circumstances, is too high.


Nels E. Werner


Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Dissenting Opinion was submitted on the 10th day of September, 1979.


Christan L. Moffett