

ILLINOIS POLLUTION CONTROL BOARD  
May 8, 1975

ENVIRONMENTAL PROTECTION AGENCY, )  
)  
Complainant, )  
)  
v. ) PCB 73-372 through  
) PCB 73-379  
COMMONWEALTH EDISON COMPANY, )  
)  
Respondent. )

SUPPLEMENTARY OPINION (by Mr. Zeitlin):

The principal Opinion and Order in this matter, in which I concurred, adequately and succinctly presents the factual and legal conclusions which formed the basis for our decision in this matter.

The penalty in this matter is that which the facts and circumstances justify. As is the case with all determinations of the penalty which accompanies a finding of violation, the Board's determination as to the penalty here is reached on the basis of those factors specific to the individual case.

It is my opinion that the Board, in reaching this decision, has properly weighed each of the circumstances which it is required to consider in arriving at a particular penalty amount. The Board's determination as to penalty in this matter should not, in my opinion, be read as indicating any hard or fast rule as to the proper amount of such penalties in general. Violators should stand forewarned that this Board has not, in reaching its decision here, set a maximum penalty for this type of violation. The integrity of the permit system is far too important for us to set any such maximum.

I, Christan L. Moffett, hereby certify that the above Supplementary Opinion was submitted on the 30<sup>th</sup> day of May, 1975.

  
Christan L. Moffett, Clerk

  
Philip Zeitlin, Board Member