

ILLINOIS POLLUTION CONTROL BOARD

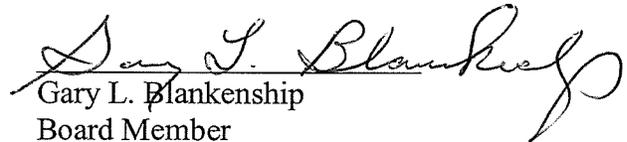
June 18, 2009

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 03-191
) (Enforcement -Land)
COMMUNITY LANDFILL COMPANY,)
INC. and the CITY OF MORRIS,)
)
Respondents.)

CONCURRING OPINION (by G.L. Blankenship):

I respectfully concur in all aspects of the Board's order today with the exception of paragraph six, which assesses a civil penalty of \$399,308.98 against respondent City of Morris. Given the costs of the remedy ordered, I believe that imposition of a civil penalty on the City would be an arbitrary or unreasonable hardship upon the City's taxpayers, who may bear costs associated with closing this landfill.

For this reason, I respectfully concur.


Gary L. Blankenship
Board Member

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the above concurring opinion was submitted on June 18, 2009.


John T. Therriault, Assistant Clerk
Illinois Pollution Control Board