

ILLINOIS POLLUTION CONTROL BOARD  
March 19, 1981

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
Complainants, )  
 )  
v. ) PCB 80-112  
 )  
PETER OCCHIPINTI, )  
 )  
Respondent. )

CONCURRING OPINION (by J. Anderson and J.D. Dumelle):

While the respondent was hardly the sole contributor to the sloppy handling at best of the permit process evident in this case, this is not an acceptable reason to completely absolve him from sanctions.

Even a small penalty would have signaled the respondent and others so inclined that the EPA permit process and its requirements are not to be taken lightly.

Since this is an enforcement case, not a variance proceeding, we believe the Board should have, as a minimum, specifically discussed the penalty issue in its opinion.

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Joan G. Anderson  
Board Member

*Jacob D. Dumelle*  
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Jacob D. Dumelle  
Chairman

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed with the Board on the 30<sup>th</sup> day of March, 1981.

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