

ILLINOIS POLLUTION CONTROL BOARD
September 18, 1980

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.) PCB 79-79
)
CITY OF MONMOUTH,)
)
Respondent.)

CONCURRING OPINION (by J.D. Dumelle):

My reason for concurring in this action lies in Paragraph 21(c) of the Statement of Stipulated Settlement filed June 20, 1980 and here accepted.

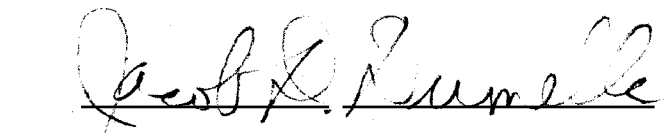
This paragraph requires the City of Monmouth to "maintain an operating staff of at least five full-time employees at the plant". The Board's Order adopts the Settlement and thus this provision will remain in effect indefinitely and forever unless changed by a further Board order.

To me this paragraph infringes upon a city's right to run its own operations. The "proof of a pudding is in its eating" and the proof of proper sewage treatment plant operation ought to be in its effluent quality, not in its staffing.

If automation develops so that fewer people are needed at the plant, Monmouth will not be able to economize unless it comes before the Board and has Paragraph 21(c) stricken.

In future situations of this sort I would prefer to see no mandatory staffing requirement or at the least a fairly short time limit (two to three years) for such a requirement.

Respectfully submitted



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 19th day of September, 1980.

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