

ILLINOIS POLLUTION CONTROL BOARD  
January 24, 1985

CITY OF TUSCOLA, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 84-146  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

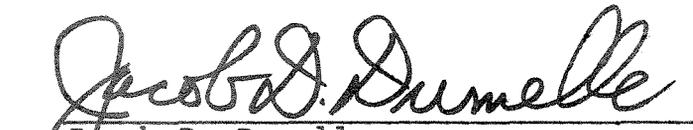
CONCURRING OPINION (by J. D. Dumelle):

My reason for concurring lies in the language of the majority opinion criticizing the "mayor's contingent commitment" for compliance. As a former city manager and an assistant to two other city managers, I do not believe an Illinois mayor could alone commit his city to a massive multi-million dollar project. At the very least, a council vote would be needed and, quite possibly, a referendum also.

The least costly alternative appears to be \$3,293,700 in total cost. The present federal grant fund ratio of 55% would amount to approximately \$1,811,535. But grant funds may well be made available by Congress as cities all over the United States face needed Clean Water Act projects at full local cost. It would be unreasonable to require a full cost commitment until the fate of additional federal funding is known.

Tuscola did not clearly state why it needed this four-month extension to its original variance. It probably was needed to adequately consider the engineering report filed October 24, 1984, some two months after the original variance expired. Since it did not clearly state its reason, I concur in the dismissal.

As July 1, 1988 approaches, the Board will see more of these grant-related problems. In some cases, small cities may just not be financially able to finance the full cost of these needed sewage plants. We can only wait and work toward adequate mechanisms to finance these infrastructure needs.

  
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Jacob D. Dumelle  
Chairman

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was submitted to me on the 31<sup>st</sup> day of January, 1985.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board