

ILLINOIS POLLUTION CONTROL BOARD
February 2, 1978

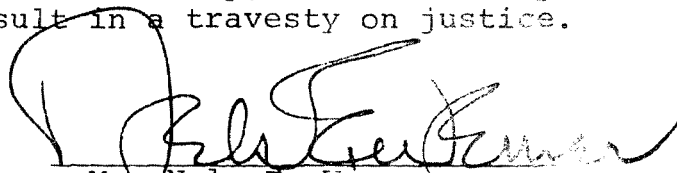
DERBY MEADOWS UTILITY COMPANY,)
)
 Petitioner,)
)
 v.)
)
 HOMEOWNERS' ASSOCIATION OF)
 PHEASANT HOLLOW & DERBY HILLS,)
)
 Intervenor)
)
 v.) PCB 77-153
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

DISSENTING STATEMENT (by Mr. Werner):


The paramount consideration in this matter, which seems to have been lost in a shuffle of procedural technicalities and obscured by a dense cloud of verbal fog, is the plight of the individual homeowners who need Board help in order to be able to move into their own homes.

It appears that an elementary human concern and compassion for the welfare, lives and property of those individuals who are unfortunately caught in the middle of a difficult situation---and perhaps even some of the milk of human kindness, as well---should mandate immediate Board action to fashion a reasonable remedy which allows the requisite number of additional sewer connections to promptly correct the existing emergency problems, especially in light of the manifestly minimal environmental impact of such connections.

We feel that the Board should always strive to do the right thing---what is fair, just and equitable. The moral courage not to duck potentially controversial matters, especially where ethical considerations play such a crucial role, is not only important and desirable---it is a moral imperative. To deny these homeowners immediate Board help, when such help is so sorely needed, can only result in a travesty on justice.


Mr. Nels E. Werner
Member of the Board

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above DISSENTING STATEMENT was submitted on the 9th of February, 1978.


Christan L. Moffett, Clerk
Illinois Pollution Control Board