

ILLINOIS POLLUTION CONTROL BOARD
March 20, 1980

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 79-154
)
VILLAGE OF WINSLOW, an Illinois)
municipal corporation,)
)
Respondent.)

INTERIM ORDER OF THE BOARD (by Mr. Werner):

The Board, after careful evaluation of the proposed settlement agreement in light of Section 33(c) of the Illinois Environmental Protection Act and Procedural Rule 331, finds all terms and conditions of the Stipulation and Proposal for Settlement to be acceptable, with the exception of the proposed \$500.00 penalty.

Because of the Village of Winslow's small size, poor financial condition, and the large debt load incurred for a recently installed sewerage system, the Board feels that the \$500.00 penalty is too high. Additionally, at the hearing, the Village President and Mayor, Mr. Richard A. Miller, testified that such a penalty would be a severe financial hardship and excessive burden on the Village. Since Mr. Miller originally signed the Stipulation on behalf of the Village, it appears questionable whether there was a true meeting of the minds on the penalty issue.

Accordingly, the Board hereby rejects the Stipulation and requests that the parties in this case submit, within 90 days, an Amended Stipulation and Proposal for Settlement or proceed to hearing.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 20th day of March, 1980 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board