

ILLINOIS POLLUTION CONTROL BOARD
January 23, 1986

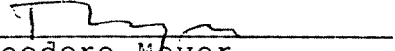
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 85-127
)
RIP'S FERTILIZER SERVICE,)
)
Respondent.)

MR. MARK A. LaROSE, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF THE COMPLAINANT.

MR. GARY W. (RIP) GREEN, OWNER OF RIP'S FERTILIZER SERVICE, APPEARED ON BEHALF OF THE RESPONDENT.

DISSENTING OPINION (by J. Theodore Meyer):

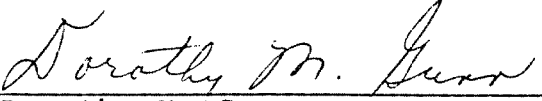
I dissent from the majority opinion in this case because I do not feel the fine was adequate. Unfortunately no information was provided to this Board concerning the profitability of Rip's Fertilizer Service. The stipulation portrayed Rip's Fertilizer Service as being a small impoverished company. Buildings, lands and floater trucks should have a value in excess of \$100,000, a fine of \$1800 payable in installments is not adequate. Additionally, everyone is not a good housekeeper at the plant, I assume that the company is just as careless in its application of pesticide.



J. Theodore Meyer
Board Member

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 20th day of January, 1986.



Dorothy M. Gunn
Illinois Pollution Control Board