

ILLINOIS POLLUTION CONTROL BOARD
December 4, 1975

CAMPBELL SOUP COMPANY,)
)
 Petitioner,)
)
 v.) PCB 74-315
)
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

SUPPLEMENTAL STATEMENT (by Mr. Dumelle):

While I did vote for the grant of this variance, the matter of notice to the public of the possible change in length of the variance is of concern.

The Petition was filed August 27, 1974. At that time and until October 1, 1975 the Board, by statute, could only issue one year variances. An amendment (termed a "modification") was made by Campbell's counsel at the hearing on October 28, 1975 to request a 5-year variance (R. 29).

Thus, any person residing in the neighborhood and concerned by the admittedly excessive noise from this factory might have concluded in August or September of 1974 that a one-year variance was reasonable. However, a 3-1/2 year variance, as this one has now been granted, might possibly have brought an objection and a mandatory hearing and citizen testimony in opposition.

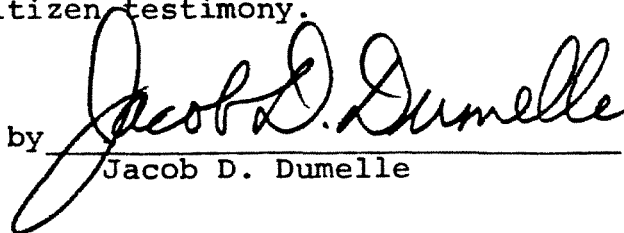
The public had no way of being notified that this was to be a variance in excess of one year.

One of the justifications for the grant of the variance is that the neighborhood is already severely impacted by noise. On the contrary, this should spur abatement efforts as quickly as possible to avoid human stress and possible sleep disturbance on residents. Gross pollution in an area does not justify continued pollution by a source.

The variance permits noise levels to increase by 3 dB(A). This is a doubling of noise level from the excessive amounts already emitted (R. 10). Perhaps the end press retrofit program, to be accomplished this winter, will reduce these noise levels significantly prior to the summer period when the factory windows will be open.

During this period of changeover from possible one-year variances to possible 5-year variances the Board should be careful to see that the public is made aware of this possible liberalization so as not to close off citizen testimony.

Submitted by



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Supplemental Statement was submitted on the 9th day of December, 1975.



Christan L. Moffett, Clerk
Illinois Pollution Control Board