

ILLINOIS POLLUTION CONTROL BOARD

April 12, 1973

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 vs.) PCB 72-433
)
 LEONARD GREEN, a/k/a M & L)
 RENDERING,)
)
 Respondent.)

Mr. James D. Keehner, Assistant Attorney General for the EPA
Mr. James M. Byrne, Attorney for Respondent

OPINION AND ORDER OF THE BOARD (by Mr. Henss)

Respondent Leonard Green operated a rendering plant at Belleville, Illinois. The plant normally processed 80,000 - 100,000 lbs. of bones, fat and salts and 1,000 lbs. of blood each day. The Environmental Protection Agency alleges that the plant emitted obnoxious odors so as to cause air pollution in violation of Section 9(a) of the Environmental Protection Act. The Statute was enacted July 1, 1970 and the Complaint was filed November 6, 1972 and we will, therefore, consider only those violations alleged to have occurred between those dates.

Ten nearby residents appeared at the public hearing. Five of them related how the odors from the rendering plant interfered with their lines. Respondent stipulated that the other five witnesses would provide similar testimony and they were not called to testify. The complaining witnesses said that the rendering plant gave off an "obnoxious" "greasy" odor (R. 58) which caused headaches (R. 69) and drove them indoors from their yards.

Since Respondent operated the business principally at night most of the odors occurred during the evening and night time hours.

Witnesses appeared on behalf of Respondent and said that although they noticed the odor from time to time they were not especially bothered by it. The defense witnesses said that other odors in the area were also strong. These included

odors from a hog farm and the municipal sewage treatment plant. One witness said the odor from the municipal sewage treatment plant on a hot summer night was so bad it "would gag a maggot" (R. 133). All of the witnesses seemed able to distinguish between the odors coming from these various sources.

The rendering facility has been in existence since 1914 and was purchased by Respondent Green in 1952. Green operated the plant until it was put out of business by a fire in 1969. Green reconstructed a portion of the plant which had been damaged by the fire and also installed a gas fire "after burner" for the purpose of controlling odors. The plant was then reopened and was operated from September 1970 until it was closed by voluntary action of the Respondent on the morning of the public hearing February 17, 1973.

Respondent acknowledged that he had received odor complaints from his neighbors after resuming business in 1970. He took several steps to control odors during that period of time none of which involved expenditure of large sums of money. Respondent did add chemicals to the material being processed in order to reduce odors, sent his maintenance man to other rendering plants to review their methods and would occasionally shut down his operation until wind directions and atmospheric conditions made the odors less obnoxious in the community.

Much of the testimony related to the efficiency of the "after burner" installed by Respondent when he resumed business in 1970. An EPA employee said the device had no combustion chamber, did not operate at the approved 1400° F. range and should simply be called a gas burner. Mr. Green conceded that he learned soon after it was installed that the device "didn't work" (R. 18, 20). Therefore, he used the gas burner only about a dozen times.

Respondent's procedure was to cook bones, fat, salts and blood under steam pressure in vats 12 feet long and 5 feet deep. The steam was then drawn to a condenser and was precipitated back into a tank as water. The remainder of the emission went past the gas burner (which usually was not operating) and out the stack.

Respondent was aware that an improved after burner was needed. He requested his butane gas supplier to come up with such a device but somehow that contact did not bring results. The principal reason Respondent did not install a more efficient after burner is that he did not have the money. Respondent testified that he believed a first class installation to control the odors would cost \$75,000 to \$125,000 for installation and

might cost \$50,000 per year for operation. Since the business lost \$15,000 in 1971 and was showing only a small profit in 1972 it can be seen that such cost was beyond his capability. An exhibit introduced into evidence indicates that the least expensive installation to obtain 99% reduction in odor level is a two stage horizontal spray tower scrubber. The installation cost for such a scrubber to treat 25,000 CFM flow is \$28,600, and the installation cost for treatment of a 150,000 CFM flow is \$126,300.

We find from the evidence that Respondent's odor emissions did unreasonably interfere with the enjoyment of life or property in the area and that Respondent violated Section 9(a) of the Act. Respondent has closed his business and states that it will not reopen. Nevertheless, we will order him to cease and desist from the violations to insure that the rendering plant does not resume operation in violation of the law.

In actuality this rendering plant has been put out of business through the changing nature of the community and the inability to keep pace financially with the need for modern equipment. Respondent has suffered his financial loss through the closing of his business. He is not a wealthy person. We do not feel the need to impose a monetary penalty in this case. The improvement in the environment is satisfaction enough.

ORDER

It is ordered that Respondent Leonard Green shall cease and desist from the violations of Section 9(a) of the Environmental Protection Act found in this Opinion.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 12th day of April, 1973 by a vote of 4 to 0.

Christan L. Moffett

