

ILLINOIS POLLUTION CONTROL BOARD
July 24, 1980

PEOPLE OF THE STATE OF ILLINOIS)
)
 Complainant,)
)
 v.) PCB 77-206
)
RALSTON PURINA COMPANY,)
)
 Respondent.)

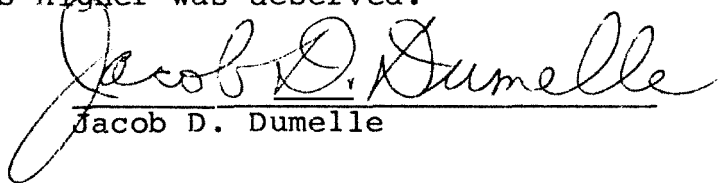
CONCURRING OPINION (by J.D. Dumelle):

My reason for concurring in this case is that I feel the stipulated penalty of \$1,500 is much too low.

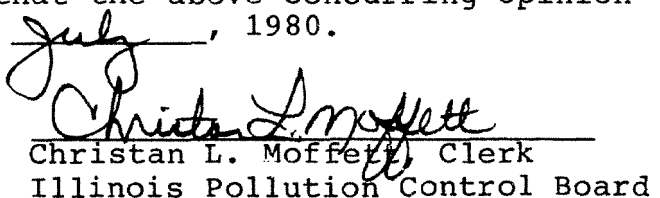
The record is replete with examples of the burden these odors have placed upon nearby residents. A member of the 131-year-old St. John Evangelical Lutheran Church stated, "...our sanctuary is not air conditioned. There have been numerous times when we have had to keep the windows closed in hot weather due to odor." (R.65) The father of a developer of a 45-house development stated, "He had it all zoned for housing development and six lots almost sold when the mushroom plant moved in. How many houses are there today? None." (R.70)

A man residing near the mushroom plant said, "Our two boys no longer enjoy playing outside because of the smell that is emanating from this area..." (R.79). Other comments mentioned a new type of fly which clings to cattle's faces. (R.85)

It seems to me that the odor and fly nuisances and intrusion into people's ways of life has been so great that a penalty of at least \$5,000 or perhaps higher was deserved.


Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 28th day of July, 1980.


Christan L. Moffett, Clerk
Illinois Pollution Control Board