

ILLINOIS POLLUTION CONTROL BOARD  
September 29, 1975

ENVIRONMENTAL PROTECTION AGENCY,    )  
    Complainant,                    )  
                                      )  
    v.                                )     PCB 75-122  
                                      )  
KENOSHA PACKING COMPANY            )  
    a Wisconsin corporation,        )  
    Respondent.                     )

Mr. James L. Dobrovoly, Assistant Attorney General, appeared on behalf of the Complainant;  
Mr. Henry B. Rothenberg, Lissner, Rothenberg, Rief and Barth, appeared on behalf of the Respondent.

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

This matter comes before the Pollution Control Board upon the March 19, 1975, complaint of the Environmental Protection Agency (Agency) against the Kenosha Packing Company (Kenosha), a Wisconsin corporation. The three count complaint charges Kenosha with violation of section 9(A) of the Environmental Protection Act (Act) from July 1, 1970, to March 19, 1975; Rule 103(b)(2) of the Air Regulations and 9(b) of the Act from February 1, 1973 to March 19, 1975; and Rule 502(a) of the Air Regulations and 9(c) of the Act on April 17, 1974. A hearing was held in Woodstock, Illinois, on June 20, 1975, to read into the record a tentative settlement, the final stipulation and settlement proposal being filed August 20, 1975.

Kenosha Packing Company butchered about 210 head of cattle per day and also engaged in rendering operations at its Hebron, McHenry County, plant until June 13, 1975. The butchering and rendering was performed Monday through Friday, the former, 10 hours per day, the latter, 16 hours per day.

Kenosha processes and renders cattle carcasses, skins, heads, feet, butcher shop scrap and other discarded parts previously ground in a pre-breaker and fed via an open auger conveyor from the breaker to the cookers. 31,000 pounds of offal and bones and 5,000 pounds of blood are processed each day.

The dry-heat cookers break down the cell structures, liberating gases and water vapors and separating the tallow from the solids. The materials are then fed to an expeller which compresses the grease and settles out the particulate matter. The grease or tallow is eventually pumped into pickup tank trucks and the dry residue is transferred to an enclosed truck. Each cooker has a direct contact condenser.

The steam and vapors are sent to an enclosed tank which is vented directly to the atmosphere. The condensed material is sent to a skimming tank which is also vented to the atmosphere.

Non-condensable emissions are fed through an afterburner to the atmosphere. However the afterburner, which respondent contends increases the odor, has been inoperable for several years.

The Agency received three written complaints and 15 area residents, when interviewed, voiced their complaints of an objectionable odor emanating from Kenosha. This odor is apparently the result of the rendering operation rather than the meat packing operation.

Kenosha, while it had applied for one, does not have an operating permit which was required by Rule 103(b)(2) by February 1, 1973. Thus the Board finds Kenosha to have violated Rule 103(b)(2) and Section 9(b) of the Act from February 1, 1973, to March 19, 1975.

Kenosha was observed burning garbage and refuse in the back of its plant in violation of Rule 502(a) of the Air Regulations on April 17, 1974, and Sections 9(a) and 9(b) of the Act.

The community of Hebron has a population of 800. The Respondent's plant is close to various schools and commercial and residential areas of the city. Kenosha employs fifty-five persons in Hebron. Kenosha has operated in Hebron since December, 1966, although the rendering plant has been in operation since World War II. Kenosha has spent over \$23,000,000.00 in the past year on its operations in Hebron.

Kenosha has attempted to reduce its odors by various means since 1973. However, the Respondent has failed to adequately control these odors. The Agency states that it is technically feasible to control the odors, and Kenosha stipulates that it could afford any technically feasible equipment.

Kenosha has constructed a new rendering plant at a cost of \$304,000.00 in Kenosha, Wisconsin. It moved its rendering operations to that plant on June 13, 1975. This move will not cost any local employee of Kenosha his job. Kenosha has applied for all necessary permits to maintain its packing operation at Hebron.

Kenosha admits, for purposes of this settlement, all violations set forth in the complaint. Kenosha stipulates that it will cease all rendering operations at the Hebron plant on June 13, 1975, and within 14 days of this Order, it will remit \$7,000.00 to the State as a penalty for the violations. In addition, Kenosha agrees to obtain all necessary permits from the Agency.

The Board finds the stipulation and settlement proposal to be reasonable and the stipulated penalty to be adequate, and therefore accepts said stipulation and settlement proposal.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

#### ORDER

It is the Order of the Pollution Control Board that:

1) Respondent Kenosha Packing Company is found to have violated Section 9(a) of the Act from July 1, 1970 to March 19, 1975; and Rule 103(b)(2) of the Air Regulations and Section 9(b) of the Act from February 1, 1973, to March 19, 1975; and Rule 502(a) of the Air Regulations and Section 9(c) of the Act on April 17, 1974; and

2) Respondent Kenosha Packing Company shall pay as a penalty the sum of \$7,000.00, payment to be made within 14 days of the date of this Order, by certified check or money order to:

State of Illinois  
Fiscal Services Division  
Environmental Protection Agency  
2200 Churchill Road  
Springfield, Illinois 62706

and

3) Respondent Kenosha Packing Company shall cease all rendering operations at its Hebron plant; and

4) Respondent Kenosha Packing Company shall apply for and obtain all necessary permits for its Hebron meat packing plant within 120 days of this Order.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 29<sup>th</sup> day of September 1975 by a vote of 4-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board