

ILLINOIS POLLUTION CONTROL BOARD
September 12, 1991

FRANKLIN D. VICKERS and)
RUTH JEAN VICKERS,)
)
Complainants,)
)
v.) PCB 91-42
) (Enforcement)
)
VILLAGE OF MILLSTADT,)
)
Respondent.)

DISSENTING OPINION (by J.D. Dumelle):

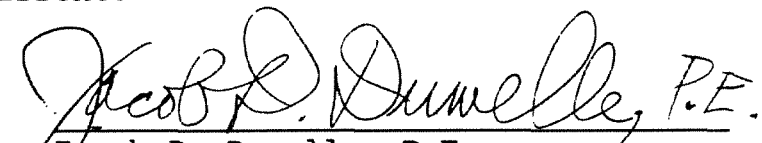
The majority correctly found that the siren interfered with the complainants enjoyment of life. Having reached this finding they then missed the main import of the testimony and consequently failed to order remediation.

The record is replete with four separate witnesses stating that "...You have to cover your ears, because it actually hurts..." (R.21) and "...the grandchildren when they are over -- you have to cover their ears, it's so loud." (R.34) and "...it is an extremely loud shrill...You have to cover your ears." (R.36) and "It hurts my ears. It really does." (R.38).

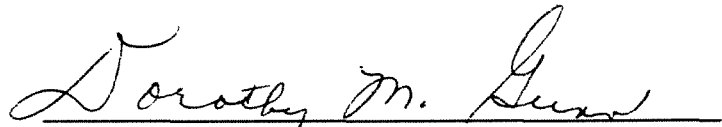
The main import of the testimony quoted above is that these noise levels of the siren are certainly causing hearing damage. Physical pain ("it actually hurts") is only associated with permanent damage to the delicate hearing mechanisms of the ears.

The City of Millstadt should install lower output sirens but more of them in order to get the coverage it feels it needs. To place this single high intensity noise source in a residential neighborhood is to inflict not only a nuisance but permanent hearing damage onto both children and adults.

For these reasons, I dissent.


Jacob D. Dumelle, P.E.
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above Dissenting Opinion was submitted on the 25th day of October, 1991.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board