

POLLUTION - CARGILL

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Cardinal Edition

## State may seek legal action on Cargill

By Mick Zawislak

CARPENTERSVILLE — The Illinois Attorney General's office may pursue legal action against a Carpentersville resins manufacturing plant unless it files a plan in court to stop odors suspected of originating from its processes.

That possibility is the product of an impasse in negotiations between the Illinois Environmental Protection Agency and Cargill Inc.

Citizen activists and persistent village officials prompted the IEPA in May to ask the attorney general's office to negotiate a legally enforceable odor control

plan with Cargill.

Although Cargill has been cooperative, the IEPA will ask that a complaint be filed unless the company agrees to enter an odor control plan in court, according to Joseph R. Podlewski, Jr., IEPA attorney for enforcement programs.

"Chances are the attorney general's office will file a complaint ... if the situation is not resolved to our satisfaction," he said. "If we find out the odor complaints are gone, we'll be happy."

No meeting has been scheduled with Cargill, but Podlewski said he would like to have the matter resolved by Christmas.

Citizen complaints of a sickly-sweet odor thought to be coming from Cargill have been ongoing for a decade.

Cargill could be cited as a public nuisance for failing to control odors in violation of the Illinois Environmental Protection Act. Fines are possible of up to \$10,000 for the violation and \$1,000 per day it persists, according to Assistant Attorney General Gerald Karr.

**WHAT WILL happen depends** on whether IEPA officials are convinced improvements already made or planned by Cargill will successfully control odors sus-

pected of originating at the plant.

"We'd like to do it informally, but there comes a point when you can't anymore," Podlewski said.

Karr said IEPA inspectors will check the Cargill plant this week to see if work the company claims to have done to control emissions has been completed.

"It would be something we'd have to decide. A fine wouldn't get rid of the odors," Karr said. Pinpointing the source of odors is difficult, he added.

Since spring, Cargill has spent \$450,000 to curb what the IEPA calls "a significant problem with odor emissions." In a letter to the

IEPA in October, General Manager Pat Heffernan said the company expects to spend nearly \$1.4 million to control emissions and eliminate odors.

Those expenses do not include lost production time or a \$10,000 weekly fee Cargill pays a licensed special waste hauler to remove substances that previously had been incinerated.

Cargill voluntarily shut down its waste liquid incinerator last April because it was thought to be the main source of odors. The company has also been denied an extension of its operating permit

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## ●Carpentersville

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pending resolution of odor complaints.

"Cargill has never thought an enforceable plan was necessary ... because we were doing everything we needed to bring it under control," Heffernan said.

**A PLAN** was made and revised four times but has never been accepted by Cargill.

"We wanted them placed on a

compliance program with an enforceable order," Podlewski said. "They balked at that and made no bones about it."

Podlewski said that stance is a

turnabout from initial negotiations with Cargill. Heffernan said the spirit of negotiation was "probably more cooperative now than it was in the beginning."



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