INDUSTRIAL WASTES IN OUR REGION: HISTORICAL PERSPECTIVE

I. Industry Comes to the Flood Plain in the American Bottoms
   A. Formation of levee districts and building of levees, early 20th century
   B. Creation of industrial cities in the American Bottoms: 1890 - 6,000 jobs
      1929 - 39,000 jobs

II. Nuisance and Conflict
   A. What are “nuisance laws”?  
      1. Common law principle: Individuals could sue a business for being “of such an offensive character as to be materially offensive to the senses, and such as impair the physical comfort of those who come within its sphere.”
      2. Many States, including Illinois, passed laws by the early 20th century that defined certain actions, including industrial pollution, as examples of nuisance, for example, wastes from slaughter houses, packing plants, saw mills and gas works.
   B. Why didn’t nuisance laws protect the public interest?
1911-1916

A. Local Complaints about Dumping Sewage: Edwardsville, Belleville, Collinsville

B. East St. Louis and waste from Packing Plants and Stockyards

2. Sanitary Water Board, created 1929.

A. Located in Dept. Of Public Health. Supervised public water supplies, and also water used for recreation, for watering livestock and for fishing.

B. Sought Cooperative solutions - 1936 reported that refineries in American Bottom had installed equipment to clean up liquid wastes.

D. Courts and Pollution: Lower Courts Sympathized with Victims; State Appeals Court Decisions Favored Industry.

A. 1922 - aluminum particles get in peoples’ eyes in East St. Louis

B. Gardiner v. International Shoe Co. [1943] Hartford, pond used as sink by the company.

Source of this information: Craig E. Colten, “Legal Response to Illinois Pollution,” in Andrew Hurley, ed., COMMON FIELDS (Missouri