



Volume 3. From Vormärz to Prussian Dominance, 1815-1866

Pollution Caused by a Chemical Factory in the Westphalian Town of Iserlohn (1839-52)

With German industrialization and urbanization only starting between 1815 and 1866, environmentalism as a movement to protect nature did not yet play a role. The passages reproduced below, which date from 1839-1852 and concern neighbors' complaints about a Westphalian chemical factory, show that problems certainly *did* occur and that governments initiated strong measures in turn. But usually nothing really improved, except that in this case the factory was eventually closed in 1853.

I. Letter from the Royal Government, Arnsberg, March 1839

To the Royal *Landrat**,
The Honorable Herr Schütte,
Hochwohlgeboren zu Iserlohn

In response to the report of February 18 of this year regarding the complaint by Eickmann and interested persons concerning the chemical factory of the materials-manufacturer L. Stark, we inform Your Honor, while returning the attachments submitted by the latter, that, according to the expert opinion of the *Medizinalrath*** of our collegium, the vapors and fumes generated and spread in the manufacturing of sulfur-saltpeper and hydrochloric acids are dangerous to human health and harmful to the growth of plants. Moreover, since the grievances cannot be sufficiently remedied by suggestions made by the district physician Dr. Ploettner in the expert opinion dated September 9 of last year, namely the building of a wall, the operation of the factory in question is no longer permissible.

The above-mentioned acid is among the products which, in accordance with §693 Tit. 20 T1 2 of the *Allgemeines Landrecht**** can be manufactured only with permission from the territorial police. It must therefore strike us as all the more peculiar that the local police office allowed the operation of the factory in question without a more detailed permit after we had explicitly ordered the closure of the same already on August 20, 1830. We therefore instruct you not only to hold the local authorities accountable for this and to have them submit their explanation within

* Head of an administrative district – trans.

** Officer of medicine and health – trans.

*** General Territorial Law – trans.

four weeks, but also to forbid Stark from operating his chemical factory hereafter on pain of a fine of 50 Thalers, and to have him investigated and punished for his illegal conduct in accordance with §694 Tit. 20 T1 2 of the *Allgemeines Landrecht*. We look forward to hearing about the implementation of this order in your report within the indicated time period, and we leave it up to you to inform the complainants of the submission of January 18.

Arnsberg, March 24, 1839.

Royal Government, Department of the Interior

II. Letter from the Royal Government, Arnsberg, May 1852

The expert investigation that was conducted last August regarding the complaints submitted by your neighbors about the deleterious effects of your chemical factory has established, beyond any doubt, that neither the facilities nor the manner in which the factory is operated are such that the environs are protected against considerable disadvantages and nuisances.

It is not only that the vegetation of the surrounding gardens has suffered considerably from the effect of acidic vapors and that its development has been interfered with, but also on the day of the inspection, such a suffocating, saltpeter-acidic mist was found throughout the factory rooms and their environs that the inspection had to be temporarily suspended.

In order for these grievances to be effectively addressed once and for all, we find ourselves compelled, pursuant to the decrees of April 12 and October 11, 1850, to make the continued operation of your factory contingent upon the exact fulfillment of the following conditions, some of which were already previously found to be advisable, but which were postponed at your request.

For the operation to exist without doing harm to the neighbors, it is essential to ensure, if possible, that the acidic gases and vapors are condensed and prevented from escaping, and that those that invariably escape are conducted into higher regions of the air.

To that end, the following facilities are necessary:

1. The rooms in which
 - a.) the sulfur-burning oven is located,
 - b.) the hydrochloric acid is distilled,
 - c.) the sulfuric acid is vaporized and distilled,must be given a funnel-shaped and leakproof roofing that is entirely in accord with the expert opinion of Herr Grothe of March 2, 1850, and that of Herr Dieckmann of January 31 of this year. For that reason, neither the broken-funnel-shaped form of the roofing of the distillation room for

nitric acid, nor the partial or complete absence of the prescribed clay covering is acceptable any longer.

2. All escaping gases from

a.) the sulfur burning oven,

b.) the lead chambers,

c.) the saltpeter stills,

and, finally, d.) the concentration room for sulfuric acid,

must be directed, by means of ventilation pipes, to one or several condensers, and finally

3. carried off into the common chimney, which must be given sufficient draft.

4. The connecting pipes between the various balloons for the reception and condensation of the expelled nitric acid must be closed off, not by water, but by a body impermeable to gases.

5. The cooling, decanting, and mixing of the nitric acid can be done only in the room for the nitric acid preparation, or in some other location that has a funnel-shaped covering and which must be connected with a condenser and, in the near future, also with the chimney.

To these are added the following general conditions:

6. No changes may be made in the existing installations or in the current operation of the factory without prior permission on our part.

7. You remain obligated to ensure, with all diligence, an orderly operation of the factory, the careful closure of all apparatuses, and the immediate carrying out of any repairs that become necessary, and to pay for any harm that has demonstrably occurred to a third party from your factory.

8. We reserve the right to order any measures that might emerge in the future as necessary for eliminating harmful effects of your factory.

You must agree to these conditions in writing, and you must furnish proof that you have met points 1-5 listed above within the period to be determined by the Herr *Landrath* by presenting a certificate from Herr *Wegebaumeister** Dieckmann, from whom you can request more detailed instructions for their implementation. Should you fail to do this, your factory would have to be shut down without delay through administrative channels, reserving the right to pursue a criminal case pursuant to § 177 of the General Commercial Code of January 17, 1845.

Since the findings of this most recent appeal went against you once more, you must bear the costs for this appeal as well as for the previous ones.

* Commissioner of roads – trans.

Arnsberg, May 5, 1852.
Royal Government, Department of the Interior

III. Letter of the *Landrat*, June 1852

Iserlohn, June 5, 1852
Concerning the Stark chemical factory at the bleachery here in Iserlohn

As ordered, the factory owner Herr Ludwig Stark appeared and made the following statement in the course of his response delivered here at the District Office on the 27th of last month:

1. I oblige myself herewith to completely move my chemical factory from the bleachery by April 1 of next year, and to entirely and definitively cease any manufacturing of chemicals in the present location at the bleachery by April 1.
2. I furthermore oblige myself to completely pay for the damage that was done by my factory and that may be done in the future; moreover, to engage in the manufacture with all due caution, especially to observe in detail the precautionary measures demanded by the Royal Government for the handling of nitric acid; and it goes without saying that I will not manufacture any product for which I do not have permission. I will begin with the preparations for the move as soon as I have the license I am seeking, and will undertake these preparations vigorously.

However, should the license in question be turned down unexpectedly, it would be self-evident that the declaration I made above under 1 . . . *, since I would then have no location to which to move the factory, and in this case the government's decree from the 5th of the previous month would take effect again and would have to be implemented.

I request that the statement I made above be presented to the complainants by way of explanation, and that it be transmitted to the Royal Government in due course.

Read, approved, and executed
signed Ludwig Stark,
signed Schütte, *Landrat*

Source: StAM Kreis Iserlohn, Landratsamt 242.

* Word is illegible in original document.

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