

ILLINOIS POLLUTION CONTROL BOARD  
August 13, 1971

CITY OF MORRISON )  
 )  
 ) #71-144  
 v. )  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

OPINION AND ORDER OF THE BOARD (BY MR. CURRIE):

The City of Morrison desires a variance to burn fifty diseased trees and an unspecified number of weather-damaged trees or tree parts. This problem has been dealt with in a number of cases, e.g., City of Winchester v. EPA, #70-37 (Feb. 8, 1971). We find sufficient allegation of hardship only in the case of diseased trees or of elm wood which can harbor pests. We grant the petition with regard to diseased trees and elm wood, subject to the conditions recommended by the Agency.

On July 22, 1971, the Board published a second proposed final draft of open burning regulations which would allow the burning of non-diseased trees and other landscape waste, subject to certain conditions and the obtaining of a permit from the Agency. Today's granting of a limited variance is without prejudice to any action that may be taken by the City under the new regulations.

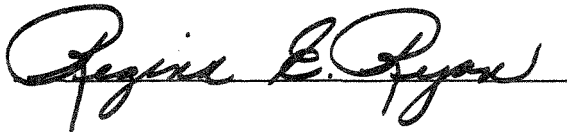
ORDER

The City of Morrison is granted a variance to allow the open burning of trees for six months from this date at the site described in the petition, subject to the following conditions:

1. Only diseased elm trees or other elm wood from the City of Morrison shall be burned;
2. Burning shall be done at the municipal tree burning site only between the hours of 11:00 A.M. and 4:00 P. M.; when the wind is between 5 and 20 miles per hour and only when the sky is not overcast;
3. No fuel of lesser quality than a number two fuel oil shall be used to promote combustion;

4. All burning shall be under the direct supervision of a Village employee;
5. Following each burning session, the City shall file a report with the Agency, briefly describing the amount of trees burned, the duration of the burning and the weather conditions at the time of burning.

I, Regina E. Ryan, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 13<sup>th</sup> day of August, 1971.

  
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