

ILLINOIS POLLUTION CONTROL BOARD
June 9, 1971

NORTHERN PETROCHEMICAL COMPANY)
)
) #71-47
 v.)
)
 ENVIRONMENTAL PROTECTION AGENCY)

OPINION OF THE BOARD (BY MR. LAWTON):

NORTHERN PETROCHEMICAL COMPANY filed a Petition for Variance under Section 9(c) of the Environmental Protection Act and Rule 2-1.3 of the Rules and Regulations Governing the Control of Air Pollution. Petitioner proposes to conduct a fire-fighting training course for its personnel on its property located approximately eight miles east of the City of Morris in Grundy County. As proposed, the course would start in June and be conducted twice a week, continuing through the month of October, 1971. Various solvents and materials generated in the manufacturing process of Petitioner would be burned in the operation and demonstration of various types of equipment employed in the control of fires. Approximately 50 gallons of gasoline, kerosene and liquified propane would be burned during each training session which would last no more than 30 minutes per session. The burning would take place on the property of Petitioner.

While not set forth in the Petition, investigation by the Environmental Protection Agency discloses that three sites are under consideration: Site A, at the north edge of Petitioner's property 200 feet east of U. S. Route 6, Site B in the center of the property approximately 300 feet north of scattered homes on the south bank of the Illinois and Michigan Canal and Site C on the southeast corner of the area, north southeast of the last residences. Adequate fire-fighting equipment would be on hand to preclude the spread of fire. The Commission of the Environmental Protection Agency notes that there are complaints with residents in the area, particularly of Site B, who have substantial objection to the proposed burning although no objection was expressed to the odors from Petitioner's plant itself. The plant is located in an industrially-developed area. Approximately 400 employees would be involved in the fire-fighting training. The Environmental Protection Agency recommends that the burning be allowed, but rather than the 44 demonstrations proposed, demonstrations be limited to 10 demonstrations, with no more than 4 demonstrations in any calendar month for the period between June 1, 1971 and October 31, 1971.

The Environmental Protection Agency notes that in the case of Deere & Co. v. Environmental Protection Agency, #70-20, 2 sessions were requested for a total of 60 employees, indicating that 30 pupils could receive the necessary instruction during a single session. On the basis of the number of employees involved in the present case, and the period of time available, the Environmental Protection Agency's proposal appears reasonable. Also of the three sites proposed, it suggests that Site C is clearly preferable. It is the most distant from residential development and in the vicinity of industrial activities and not likely to create safety hazards for traffic and burdens on nearby residents.

In Deere, we noted:

"The importance of instructing employees in firefighting techniques is clear. Indeed, such instruction not only may reduce injuries and property losses due to fire; it may in the long run result in less air pollution, since the destruction of a plant by fire would emit far more pollution than a few small and controlled instruction sessions. Moreover, we agree with Deere that there is no substitute, in learning how to fight fires, for actually fighting fires. Further, Deere tells us its insurability may depend upon adequate fire-fighting knowledge among its employees."

The same considerations maintain in the present case and we grant the variation subject to the terms and conditions hereinafter set forth. As in Deere, we waive the requirement for the filing of any bond.

This Opinion constitutes the finding of fact and conclusions of law of the Board.

IT IS ORDERED by the Pollution Control Board that Northern Petrochemical Company be authorized to burn solvents in the open for purposes of conducting a training course in fire-fighting, subject to the following terms and conditions:

1. Demonstrations shall be limited to 10 sessions, taking place between June 1, 1971 and October 31, 1971, with no more than 4 demonstrations in any calendar month.
2. Burning shall be conducted on Site C described in the recommendation of the Environmental Protection Agency, and only when the prevailing wind is not from the south-east.

3. Burning shall be conducted only when wind speed is no less than 5 nor more than 20 miles per hour and only at such times when weather conditions are such to assure suitable dispersal of air contaminants.
4. Burning shall be conducted only between the hours of 10:00 A.M. and 4:00 P.M.
5. On or before November 30, 1971, Petitioner shall file with the Board and with the Agency a report on each training session as conducted, describing the number of trainees attending, the character and amount of combustibles burned, stating the date and type of burning, the total duration of such burning, a description of weather conditions and a description of emissions generated by such burning.
6. Suitable fire-fighting equipment shall be on hand to prevent the spread of the fires.
7. Petitioner shall make every effort to avoid the use of combustibles that generate extreme smoke and the burning as conducted shall not cause air pollution as defined in Section 3(b) of the Environmental Protection Act.
7. The Environmental Protection Agency shall be notified in advance of the day in which the burning is to take place, and shall be permitted to observe the training session.

I, Regina E. Ryan, Clerk of the Board, certify that the Board adopted the above Opinion and Order this 9th day of June, 1971.


