

ILLINOIS POLLUTION CONTROL BOARD
September 15, 1994

IN THE MATTER OF:)
)
REGULATION OF LANDSCAPE) R93-29
WASTE COMPOST FACILITIES) (Rulemaking)
35 ILL. ADM. CODE 830-832)


DISSENTING OPINION (by J. Theodore Meyer):

I dissent from the majority's action in sending these rules to second notice. I support the adoption of standards for landscape waste compost, but I believe that the rules are insufficient in two areas.

First, the rules lack a minimum oxygen standard and associated testing. It would be relatively easy for an operator to test the compost daily, and to take corrective action, such as turning the pile, when the oxygen level fell below the standard. Adding such a requirement would work to eliminate odor problems by preventing the compost pile from going anaerobic. By simply requiring remediation of odor problems after they occur, the rules allow the creation of odor problems instead of preventing the odor. Additionally, an anaerobic pile will produce methane, which is a major contributor to the greenhouse effect. Finally, an anaerobic pile, when it becomes wet, will leach heavy metals from the pile to the ground, whereas an aerobic pile will not. All of these problems could be prevented, or at a minimum reduced, by establishing a minimum oxygen standard.

Second, I share the concerns articulated by several different participants that the heavy metal standards, based on the federal 503 rules, are inappropriate for compost. The 503 standards are substantially higher than the naturally-occurring heavy metals which are found in landscape waste. Therefore, I am concerned that an operator could blend other materials, containing substantial amounts of heavy metals, into the compost to "make up the difference" between the naturally-occurring levels and the 503 standards. I believe that the standards are much too lenient for compost.

For these reasons, I dissent.



J. Theodore Meyer
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above dissenting opinion was filed on the 24th day of November, 1994.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board