

ILLINOIS POLLUTION CONTROL BOARD
September 6, 1972

CITY OF SPRINGFIELD,)
a Municipal Corporation)
)
) #72-143
v.)
)
ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF MODIFICATION

Opinion in the above-captioned matter is modified by deleting the last paragraph on page 7, all paragraphs on page 8 and all paragraphs within the quote on page 9 and substituting in lieu thereof, the following:

In our Opinion of September 2, 1971, adopting the Open Burning Regulations, we noted the reasons for adoption of the provisions under consideration:

"3. Leaves and Other Landscape Refuse: "Backyard Incineration".

There has been considerable confusion over the status of leaf-burning under the new statute. Today's regulation makes it clear that leaves and other landscape refuse may be burned on the premises only outside municipalities and a one mile buffer zone beyond towns of 1000 or more people. In populated areas leaf burning is a nuisance. The City of Chicago has recently banned leaf burning, and it reports a significant reduction in complaints as a result (R. 131, 132). We have been urged by numerous witnesses to ban leaf burning.

Dr. George Arnold, on behalf of the Madison County Sanitation and Pollution Committee, argued that leaf burning creates a hazard of fire and of traffic accidents, contributes to the violation of particulate air quality standards, reduces visibility, endangers health, and destroys valuable organic matter (R. 64-67). Several witnesses discussed from personal experience the adverse health effects of leaf burning, especially on persons with respiratory problems (R. 214-32). An allergy specialist testified as to the serious health effects of burning leaves, especially those contaminated with pesticides, upon people with allergies or respiratory diseases (R. 184-91). There was also much evidence as to alternative methods of leaf disposal, including municipal incineration and sanitary landfill (R. 135) as well as mulching and composting to make use of the organic material (R. 67-68,

100-02, 228-30). Cost studies have concluded that the cost of leaf collection is moderate (\$2.58 per family per year in Detroit in 1967, R.68), and that the cost of such collection is offset more than three to one by the benefits of reducing pollution, even without considering either health effects or the possible benefits of mulching (Ex. 11).

Thus, we have concluded that there is no excuse for leaf burning in municipalities. At the Agency's request, however, we have allowed a grace period until the middle of 1972 for people without access to a refuse collection service.

At the other end of the spectrum we are persuaded that the costs of alternative disposal methods are likely to be significantly higher because of low population density and that, in contrast to the overwhelming nuisance created even in rural areas by salvage or garbage burning, the burning of relatively small quantities of leaves, weeds and other landscape refuse or paper and the like, at irregular intervals on the premises on which they are generated, will cause relatively little harm (R. 105-06, 168-76). We limit this exception to non-commercial and farm refuse and specifically forbid the burning of garbage. We think industrial and commercial concerns, other than farms, which are relatively remote, ought to bear the cost of providing for more acceptable means of disposal. In the case of farms we allow burning, but only if no economic alternative is available.

It is therefore desirable in this case, as authorized by Section 27 of the Act, to make different provisions for different parts of the State in terms of population density. It is obviously impossible to draw a scientific line to separate with logical precision those cases in which it is and is not acceptable to burn landscape refuse; one is reminded of the necessity for choosing a somewhat arbitrary voting age. We believe the distinction drawn is an appropriate one that will be easy to administer and to understand.

A word of caution is in order as to the disposition of leaves. We have some reservations about the spreading practice of placing leaves in plastic bags for collection. Plastic bags are relatively nondegradable and may interfere with normal decomposition of the leaves in a sanitary landfill. Moreover, the gaseous products of incineration of plastic bags may not be desirable additions to the air (R.135,139). We are not today outlawing the use of plastic for this purpose, since the issue is not before us, but we wish to warn people to take care that in avoiding one environmental problem they do not create another."

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Order of Modification was adopted on the 6th day of September, 1972, by a vote of 4 to 0.

