

ILLINOIS POLLUTION CONTROL BOARD
August 1, 1972

VILLAGE OF PEOTONE)
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)
 v.) PCB 72-212
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 ENVIRONMENTAL PROTECTION AGENCY)
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OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

This is a petition for a variance from Section 9(c) of the Environmental Protection Act [Ill. Rev. Stat. 1971, ch. 111-1/2, par. 1009(c)] and from the Illinois Pollution Control Board's Rules and Regulations, chapter 2, Part V, Rules 502(a) and 504 (a)(4)(ii), to allow open burning of landscape waste with the aid of an air curtain destructor which it has already purchased.

Rule 504 (a)(4)(ii) of the Rules provides in substance that the Agency may not issue an open burning permit if the burning will occur within 1000 feet of any residential or other populated area. In the instant case there are two residences located within 1000 feet of the proposed burning site. There is no alternative site because the Village's finances will not allow the purchase of additional land.

Attached to the Village's petition are letters from the occupants of those two residences stating, in effect, that neither one objects to the granting of the variance provided that the air curtain destructor is properly used, maintained and approved and also that the burning takes place under weather conditions which will readily dissipate the contaminants. An Agency investigator has interviewed those occupants, verifying they do not object to the variance.

The Agency recommends that the variance be granted provided that certain conditions, as specified in the Agency recommendation, are met. We agree. In our Opinion covering the Open Burning Regulations (R70-11) we acknowledged the use of air curtain destructors as an excellent means of landscape waste disposal while creating a minimum amount of air pollution. We feel that the use of a destructor in this case would be the most reasonable method of solving the Village's problem. We will grant the variance but only upon the conditions enumerated in the Agency's recommendation.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

The Village of Peotone is granted a variance to burn landscape waste with the aid of an air curtain destructor at the proposed site under the following conditions:

1. An operator must be in attendance at all times when landscape waste is being burned.
2. The feed to the destructor shall be adjusted so as to prevent any visible emissions from the destructor during burning.
3. The Village shall notify the Agency's Regional Office (Illinois National Armory, East Randolph at the Lake, Chicago, Illinois 60606, telephone, 312/341-4696) prior to the first operation so that the Agency may make an on-site inspection during burning.
4. The material used to promote combustion shall be of no lesser quality than number 2 fuel oil.
5. Burning shall be conducted only on days when the wind velocity is between 5 and 25 miles per hour.
6. Burning shall be conducted only between the hours of 8:00 a. m. and 4:00 p. m. (Central Standard Time). Quantities of materials to be burned shall be restricted to an amount which can be consumed within these hours.
7. The burning site shall be provided with adequate fire protection and with such equipment as necessary to control accidental fires.
8. Materials to be burned shall be limited to landscape wastes.
9. The air curtain destructor shall be operated in accordance with the manufacturer's operating instructions.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted on the 15th day of August, 1972 by a vote of 5-0 .


Christan L. Moffett, Clerk
Illinois Pollution Control Board