

ILLINOIS POLLUTION CONTROL BOARD

October 10, 1972

M & S WOOD AND PAPER CORP. )

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v. )

# 72-236

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ENVIRONMENTAL PROTECTION AGENCY )

William B. Powell, Attorney, for M & S Wood and Paper Corp.

Dennis R. Fields, Assistant Attorney General, for the Environmental Protection Agency

Opinion of the Board (by Mr. Currie):

M & S petitions for permission to utilize an air-curtain destructor, outside of any restricted area, to burn not only landscape wastes, as authorized by PCB Regs., Ch. 2, Rule 504(a)(4), but also other clean wood wastes such as lumber, crates, and boxes. The evidence is clear that landfill disposal has not proved a satisfactory alternative in this case, and chipping for further use is impracticable because of nails in the material that would harm the chipping equipment. The testimony of the supplier is, as we found in adopting the regulation, that a well-operated air-curtain destructor burning material such as is here involved will eliminate visible emissions except for brief and light smoke during startup or loading. It is not known whether the destructor can comply with the otherwise applicable particulate emission standard for wood incineration of 0.2 grains per standard cubic foot of exhaust gas, PCB Regs., Ch. 1, Rule 203(e)(5), so we cannot very well require that standard be met as the Agency requests; this is precisely why a variance is requested. The other conditions recommended by EPA have been accepted by M & S. 1]

Against the background of many cases indicating that regulations forbidding open burning of wood refuse have been all too often ignored, we find the present proposal a healthy one that promises substantial relief from the pollution of uncontrolled open burning. As in *Nickel v. EPA*, #71-392, 4 PCB 105 (Mar. 28, 1972), we will grant the present variance as an experiment to determine the adequacy of the air-curtain destructor as a substitute for more expensive incinerators in the burning of clean wood that does not qualify as landscape waste. If the experiment proves successful, we shall be pleased to entertain a proposal by the Agency to amend the

1] We note the Agency recommends allowing burning unless the wind speed exceeds 25 m.p.h. We invite the Agency to reassess this upper limitation and to inform us in future cases as to its basis for concluding that operation at such high wind speeds will not create a fire hazard.

the regulations to allow such burning, outside critical areas, upon permit from the Agency. The Agency is invited to monitor the emissions to determine whether or not the destructor proves adequate for this purpose.

ORDER

Variance is hereby granted to M & S Wood & Paper Corp. to burn certain wood wastes not constituting landscape waste in an air-curtain destructor at its Boone County site until October 10, 1973, subject to renewal on an annual basis upon reapplication and proper proof, and subject to the following conditions:

1. Only landscape wastes and cleaned unpainted lumber shall be incinerated; all other lumber and debris shall be separated prior to burning and disposed of by some other fashion.
2. Petitioner shall notify the Agency's Regional Office (Rockford Regional Office, 4302 North Main Street, Rockford, Illinois 61103, telephone 815/877-8051) prior to the initial operation of the air curtain destructor to allow Agency observation.
3. An operator must be in attendance at all times when trade waste is being burned.
4. The feed to the destructor shall be adjusted so as to prevent any visible emissions from the destructor during burning.
5. The material used to promote combustion shall be of no lesser quality than number 2 fuel oil.
6. Burning shall be conducted only on days when the wind velocity is between 5 and 25 miles per hour.
7. 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.
8. The burning site shall be provided with adequate fire protection and with such equipment as necessary to control accidental fires.
9. Materials to be burned shall be limited to trade wastes.
10. The air curtain destructor shall be operated in accordance with the manufacturer's operating instructions.

11. Petitioner shall within 35 days after receipt of this order post a bond or other security in the amount equal to the cost of the air curtain destructor, to be forfeited upon violation by Petitioner of any condition of the variance.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 10<sup>th</sup> day of October, 1972, by a vote of 5-0.

Christan Moffett