

ILLINOIS POLLUTION CONTROL BOARD
July 8, 1971

AMERICAN OIL CO.)	
)	
v.)	# 71-74
)	
ENVIRONMENTAL PROTECTION AGENCY)	
CATERPILLAR TRACTOR CO.)	
)	
v.)	# 71-76
)	
ENVIRONMENTAL PROTECTION AGENCY)	
CATERPILLAR TRACTOR CO.)	
)	
v.)	# 71-91
)	
ENVIRONMENTAL PROTECTION AGENCY)	

Opinion of the Board (by Mr. Currie):

These are three more requests for variances to conduct open burning for instruction in firefighting techniques. As in past cases (e.g. Deere & Co. v. EPA, # 70-20, Dec. 22, 1971), we find that the advantages of this instruction in preventing fire damage greatly outweigh the harm from the rather small emissions that it will entail, and we grant the variances subject to conditions suggested by the Agency and indicated in the order that follows.

In the two Caterpillar cases the Agency asks us to require that burning be done only during daylight hours, when atmospheric conditions are generally better for the dispersion of contaminants. In general we agree that night burning should be avoided. But here night burning is proposed for the benefit of night-shift workers. EPA's suggestion that this be done at 7:30 a.m. does not fit the company's needs, since 7:30 is the end of the shift. To make this change would require paying overtime, and, as EPA says, early morning is not a very good time for dispersion anyway.

Variations are hereby granted to permit open burning for purposes of firefighting instruction as follows:

- (1) to American Oil Co. at its Wood River Refinery, for six fire-crew training sessions of eight hours each in summer 1971, six of the same in autumn 1971, and twelve four-hour process operator training sessions in the summer of 1971; burning to take place between 10 a.m. and 4 p.m.;
- (2) to Caterpillar Tractor Co. at its Mossville plant, for six two-hour sessions in September, 1971; burning to take place only when the prevailing wind is not from the east;
- (3) to Caterpillar Tractor Co. at its East Peoria plant, for eighteen 1 1/2-hour sessions during 1971.

In each of these cases the variance shall be subject to the following conditions:

(a) Burning shall take place only when the wind speed is from five to 20 m.p.h. and only when the sky is not overcast;

(b) The company shall file a report with the Agency by December 31, 1971, briefly describing each training session. Each description shall state the number of trainees attending, the types and amounts of combustibles burned, the date and time of burning, the duration of burning and of smoke emission and a description of weather conditions.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 8 day of July, 1971.

