

ILLINOIS POLLUTION CONTROL BOARD  
December 13, 1979

INTERPACE CORPORATION,	)	
a Delaware corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 79-206
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

OPINION AND ORDER OF THE BOARD (by Mr. Werner):

This matter comes before the Board on a Petition for Extension of Variance filed on October 1, 1979 by Interpace Corporation requesting an extension of its existing variance (PCB 77-264) from the daily cover requirements of Rule 305(a) of Chapter 7: Solid Waste Regulations. On November 9, 1979, the Illinois Environmental Protection Agency ("Agency") filed a Motion for Leave to File its Recommendation Instanter and a Recommendation. This motion is hereby granted. The Agency has recommended that the Petition for Extension of Variance be granted for a period of 4 years subject to various conditions. Interpace Corporation has waived its right to a hearing, and no hearing has been held in this matter.

Interpace Corporation manufactures reinforced concrete pipe at its plant in Winnebago County, Illinois. This facility covers 93 acres and employs 170 people. In its daily operations, the Company utilizes approximately 120 tons of sand, 90 tons of stone and 45 tons of cement. These materials are mixed together with a fixed amount of water to make concrete. The concrete is then poured into steel molds over re-rods and cured. These steel molds are removed after curing, leaving a concrete pipe which is then used for water and wastewater transmission.

After the day's production is completed, there remains 2 to 4 tons of concrete to be disposed of as a result of spillage, breakage, and waste. The concrete waste, cull pipe, and occasional steel rod embedded in the concrete is transported by dump truck to a landfill site which is situated on the Company's property in an old rock quarry located behind the firm's manufacturing area.

In its Recommendation, the Agency notes that it has conducted 5 inspections of the Petitioner's facility since December 28, 1977, with each inspection indicating general compliance. Interpace

Corporation alleges, and the Agency agrees, that application of daily cover, costing approximately \$1,000.00 per week (which includes labor and large machinery rental costs), would result in an arbitrary and unreasonable hardship because the concrete waste material is relatively inert and does not harbor rodents or cause any noxious odor. Moreover, since the disposal site is located at the rear of the Petitioner's property and not readily visible to passersby on the closest road to the site, the possibility that the site could become an eyesore appears somewhat remote.

Additionally, due to the large volume of waste material generated on a daily basis, disposal at this landfill appears to be the only practical, reasonable, and economically feasible alternative. The Agency believes that any potential environmental harm resulting from the grant of a variance extension can be adequately handled by the placement of intermediate and final covers.

The Board agrees with the Agency and finds that denial of the extension of this variance would constitute an arbitrary and unreasonable hardship. Interpace Corporation is granted a variance from Rule 305(a) of Chapter 7: Solid Waste Regulations until December 13, 1983 subject to the conditions that: (1) the exposed surface of the landfill shall not exceed one acre and disposal shall be limited to the height of the adjacent terrain, and (2) intermediate cover shall be placed over the site every six months and final cover at the end of the variance period.

This Opinion and Order constitute the Board's findings of fact and conclusions of law in this matter.

#### ORDER

It is the Order of the Illinois Pollution Control Board that Interpace Corporation is hereby granted a variance from Rule 305(a) of Chapter 7: Solid Waste Regulations until December 13, 1983, subject to the following conditions:

- 1). The exposed surface of Petitioner's site shall be limited to no more than one acre;
- 2). Disposal shall be limited to the relative height of adjacent improved terrain and to the type of materials previously handled at the site (such as concrete waste, cull pipe, and occasional steel rod embedded in the concrete);
- 3). Petitioner shall cover the exposed surface every 6 months with 1 foot of earthen material and with 2 feet of final cover at the end of the variance period, and
- 4). Within 45 days of the date of this Order, Petitioner shall execute a Certification of Acceptance and Agreement to be bound to the terms and conditions of this variance. This 45 day period shall be held in abeyance if this matter is appealed.

The Certification shall be forwarded to the Illinois Environmental Protection Agency, Variance Section, 2200 Churchill Road, Springfield, Illinois 62706 and shall read as follows:

CERTIFICATION

I (We), \_\_\_\_\_ having read and fully understanding the Order in PCB 79-206, hereby accept that Order and agree to be bound by all of its terms and conditions.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

- 5). The Agency's motion for leave to file its Recommendation instanter is hereby granted.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 13<sup>th</sup> day of December, 1979 by a vote of 4-0.



Christan L. Moffett, Clerk  
Illinois Pollution Control Board