

ILLINOIS POLLUTION CONTROL BOARD  
September 1, 2005

IN THE MATTER OF: )  
)  
PROPOSED SITE SPECIFIC WASTE ) R06-8  
REGULATION APPLICABLE TO ) (Rulemaking - Water)  
SILBRICO CORPORATION (35 ILL. ADM. )  
CODE PART 810) )

ORDER OF THE BOARD (by T.E. Johnson):

On July 19, 2005, the Board received a rulemaking proposal submitted by Silbrico Corporation (Silbrico) pursuant to Section 27 of the Illinois Environmental Protection Act (Act). 415 ILCS 5/27 (2004). Silbrico seeks a site-specific rule allowing it to dispose of nonhazardous, inert waste generated at a manufacturing facility located in Cook County at a “construction and demolition debris” facility. The petition was accompanied by a motion to waive the 200-signature requirement of 35 Ill. Adm. Code 102.202(f). Silbrico simultaneously filed a petition for variance concerning the same manufacturing facility that the Board docketed as PCB 06-11.

Silbrico was founded in 1946 and is located at 6300 River Road, Hodgkins, Cook County. Silbrico manufactures products using perlite, a volcanic rock that expands up to 20 times when heated. Silbrico’s product line includes insulation, filter aids, filler and soil conditioner. Perlite soil conditioner is the little white kernels found in potting soil. Wastes are generated from off-specification product and fugitive emissions captured by the bag house and housekeeping. Wastes are currently disposed of at a non-hazardous waste landfill. Pet. at 1.

Silbrico asserts that due to the inert and nonhazardous characteristic of the off-specification perlite and the fugitive perlite (collectively waste perlite), it seeks to dispose of these wastes at a “clean fill” facility that accepts only clean construction and demolition debris. Pet. at 1-2. Silbrico asserts that allowing the disposal of the waste perlite at a “clean fill” facility would save valuable space in municipal waste landfills and result in significant cost savings, while posing no environmental violation or threat. Pet. at 2. The petition for variance seeks authorization for Silbrico to dispose of the waste while the petition for site-specific rule is pending. *Id.*

Silbrico proposes that the site-specific rule be added to Part 810 as new section 35 Ill. Adm. Code 310.105. Pet. at 2. Silbrico intends the regulation to allow the waste perlite from its Hodgkins facility to be disposed of in a “clean fill” facility that accepts only “clean construction and demolition debris” as defined at 415 ILCS 5/3.160(b) (2004). Pet. at 3.

In its statement of reasons, Silbrico asserts that the continued disposal of the waste perlite at a nonhazardous waste landfill imposes an unreasonable hardship on Silbrico. Pet. at 5. Silbrico asserts that the both forms of waste perlite are nonhazardous waste streams that pose no threat to the environment. Pet. at 6. Silbrico asserts that no environmental harm or impact on human health will result if disposal in a “clean fill” facility is allowed. Pet. at 7. Silbrico

contends that perlite is a naturally occurring rock and that the expansion product does not add any chemical or constituents to the rock. Pet. at 6. Further, Silbrico asserts that the Illinois Environmental Protection Agency (Agency) has already determined that the waste perlite is not a treat to human health or the environment when landfilled in a nonhazardous waste landfill. *Id.*

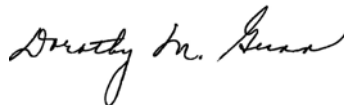
Silbrico asserts that benefits of disposal in a “clean fill” facility include conservation of valuable space in nonhazardous waste landfill, flexibility in arranging for disposal sites, reduced trucking distances, reduced chances of traffic accident and less air pollution based on fewer miles traveled. Pet. at 7. Silbrico estimates that it will see a cost savings of at least \$20,000 to \$25,000 per year if a site-specific rule is adopted. *Id.* Silbrico contends that the benefits coupled with the fact that disposal in a “clean fill” facility has no environmental impost and poses no threat to human health or safety, support the grant of the requested rule. *Id.* Silbrico asserts that compliance with the general rule is economically unreasonable especially when balanced against the benefits of the rule and the lack of environmental impact. *Id.*

Silbrico’s proposal, including its statement of reasons and the full text of the proposed rule language, is available through the Clerk’ Office in Chicago (312-814-3620) and on the Board’s Web site ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)) using the Clerk’s Office On-Line or “COOL.”

The Board finds that the proposal satisfies the content requirements of the Act and the Board’s procedural rules for rulemaking proposals. The Board grants Silbrico’s motion to waive the signature requirement, and accepts the proposal for hearing. The assigned hearing officer is directed to proceed expeditiously under the rulemaking provisions of the Act (415 ILCS 5/27, 28 (2004)) and the Board’s procedural rules. 35 Ill. Adm. Code 102.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 1, 2005, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board