

ILLINOIS POLLUTION CONTROL BOARD
January 27, 1983


TROJAN CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 82-23
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by D. Anderson):

On January 21, 1983 the Illinois Environmental Protection Agency filed a motion for stay of the Board's Order and Opinion of October 5 and 14, 1982 which granted a variance to Trojan Corporation to allow open burning of explosive and explosive contaminated waste. The motion alleges no environmental damage, but instead that technicalities in the interpretation of the Resource Conservation and Recovery Act and Environmental Protection Act may operate to prevent the environmentally desirable clean-up of this site as allowed by the variance. As noted previously, this variance allows Trojan to destroy waste explosives and buildings contaminated with explosives. Some of this material is subject to spontaneous ignition if exposed to sunlight, an event which could come about accidentally. The public safety would be much better protected if the clean-up proceeded as quickly as possible. The motion for stay is therefore denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27th day of January, 1983 by a vote of 6-5.



Christan L. Moffett, Clerk
Illinois Pollution Control Board