

ILLINOIS POLLUTION CONTROL BOARD

July 1, 1982

IN THE MATTER OF:)
)
SITE SPECIFIC RULE CHANGE FOR) R81-21
FREEPORT SOLID WASTE SITE)

PROPOSED RULE. FIRST NOTICE

OPINION OF THE BOARD (by D. Anderson):

On July 7, 1981 the City of Freeport (Freeport) filed a petition for a site specific rule change to allow it to burn landscape and clean wood waste in an air curtain destructor located at its landfill site in Stephenson County. On July 23 the Board waived the requirement of 200 signatures [Procedural Rule 204(a), codified as Sec. 102.121(a)] and requested that Freeport amend the proposal to include the proposed language. On August 6 Freeport amended the petition to include proposed Rule 503(h) of Chapter 2: Air Pollution. On March 22, 1982 a public hearing was held at Freeport. On April 1, 1982 the Illinois Department of Energy and Natural Resources advised the Board that the Economic Technical Advisory Committee had determined not to issue an Economic Impact Study, as allowed by P.A. 82-548.

Operation of air curtain destructors has been treated as "open burning" within the meaning of Rule 502(a). However, Rule 504(a)(4) allows the Agency to issue permits for burning of landscape waste in an air curtain destructor. Freeport would qualify for a permit under this provision except that it also burns wood wastes produced by local industry (R.21).

Freeport has operated its air curtain destructor since 1972, pursuant to variances since 1976 (PCB 76-158, 23 PCB 501, September 15, 1976; PCB 81-57, 43 PCB 291, September 3, 1981). The latter variance will expire "upon final action of the Board" in this matter. This will be construed to refer to the effective date of a rule which will be filed with the Secretary of State.

FACILITY DESCRIPTION

The air curtain destructor is situated about one mile south of Freeport, adjacent to Freeport's landfill, in the Southeast Quarter of Section 7, Township 26 North, Range 8 East of the Fourth Principal Meridian (R.9, 60). The landfill is on a 42.7 acre triangular tract bounded by South Walnut Road, Fairgrounds Road and Lamm Road (R.17). The air curtain

destructor is presently situated near the northwest corner of the site.

The surrounding land is agricultural, with the exception of a factory and a nursing home owned by Stephenson County (R.14).

The air curtain destructor consists of a "pit" made of concrete blocks.* It is twelve feet wide, twenty feet long and rises twenty feet above the ground (R.9). A 30 horse-power motor blows air down from the top against the opposite wall to create a circular flow referred to as an "air curtain" (R.11, Ex. 2). Waste is loaded through the top by means of a grapple truck (R.10). The device is lit with diesel fuel between 7:30 and 8:00 a.m. on days it is to be used (R.15). Three to five feet of ash accumulates weekly. This is removed on Monday morning before start up (R.20).

Burning was started at a time when Freeport was removing one hundred diseased elm trees per day. This continues to be a major source of waste, but on a scale of one hundred trees per year (R.23). Branches are mulched, but mulching of trunks is extremely costly (R.34).

The other source of waste is broken skids and leftover wood from the manufacture of skids. This wood is not painted (R.7, 25).

ENVIRONMENTAL IMPACT

Based on four tons of wood burned per day for five days each week, the Agency estimates the following annual emissions (R.38, Ex. 1):

	<u>Tons</u>	<u>Kilograms</u>
Suspended Particulates	2.4	2200
Nitrogen oxides	2.1	1900
Hydrocarbons	0.1	90

2.4 tons of particulates is about one-tenth the level for review under the prevention of significant deterioration (PSD) program (R.48, Ex.4).

*The "pit" is actually a walled-in area which is above ground (R.19).

Stephenson County is an attainment area for total suspended particulates (TSP). There are no air quality monitoring stations in Stephenson County. To the immediate east is Winnebago County, which is more industrialized. It showed no violations of air quality standards for TSP during 1980 (R.42, Ex.5).

Full assessment of environmental impact also requires evaluation of the alternative--landfilling of the wood. During the Dutch Elm disease period, the site would have been completely filled within two and one-half years had the trees been landfilled. Large trees interfere with compaction of refuse (R.27). This increases the danger of leachate generation. Moreover, additional volume places pressure on site availability, thereby increasing the cost of disposal of other refuse and encouraging open dumping. Any acceptable alternative which reduces landfill volume has some positive environmental impact.

PROPOSED REGULATION

Freeport proposed addition of Rule 503(h). This would allow operation of the air curtain destructor without an Agency permit. This is contrary to the practice under the past variances. Furthermore, it would require the Board to impose detailed restrictions by regulation. The Board will instead approach the problem as though through Rule 504. This will allow the Agency to impose appropriate conditions in permits. These can be modified without resort to full rulemaking (R. 23).

Codification regulations set a limit of three pages on sections. In anticipation of this the Board will write a separate rule applicable to Freeport rather than increasing the length of Rule 504.

Proposed Rule 550(a) specifies the location of the air curtain destructor. This has been left sufficiently vague to allow movement within a square mile without modification of the rule.

Proposed Rule 550(b) provides that operation pursuant to permit conditions is lawful; 550(c) allows the Agency to grant permits under Part I and V of Chapter 2.

RELATIONSHIP TO CHAPTER 7

The Agency has proposed that the Board amend Chapter 7 to expressly require permits of air curtain destructors and to impose operating standards on them. In order to avoid potential enforcement problems, prior to any adoption of such a program, the Board has provided that Freeport is exempted from Chapter 7, such exemption to terminate on any relevant future amendments to Chapter 7 (R.21).

In the meantime, the Freeport site is to be treated as two sites, a landfill regulated under Chapter 7 and an air curtain destructor regulated under Chapter 2. The Agency shall require, as a condition of the air permit, limited access between the sites. An unacceptable situation could arise if the active face of the landfill were adjacent to the air curtain destructor, tempting persons taking firewood to expand the scavanging area.

SMALL BUSINESS FLEXIBILITY

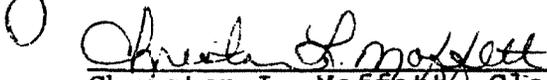
Section 4.03 of the Administrative Procedure Act (APA), as amended by P.A. 82-492, imposes small business flexibility requirements on state agencies adopting regulations. The Board published notice of the hearing in the Environmental Register and in a newspaper of general circulation in the Freeport area. The only impact on small business will be a reduction in disposal costs (R.62). In response to Section 4.03(a) of the APA, the Board finds that this proposal establishes no compliance or reporting requirements, or performance, design or operational standards, and imposes no requirements whatsoever on small businesses.

The Board will propose to adopt the text of Rule 550 of Chapter 2 which appears in a separate Order. The Clerk is directed to prepare a first notice for publication in the Illinois Register. The record will remain open for written comments for 45 days from the date of publication in the Illinois Register.

This Opinion supports the Order of the Board adopted on this same date.

Mr. Goodman concurred.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion was adopted on the 15th day of July, 1982 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board