

ILLINOIS POLLUTION CONTROL BOARD
December 1, 1983

DEPARTMENT OF THE ARMY, JOLIET)
ARMY AMMUNITION PLANT,)
)
Petitioner,)
)
v.) PCB 83-174
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by D. Anderson):

On November 21, 1983 the Joliet Army Ammunition Plant filed a petition for variance to allow open burning of explosive contaminated buildings pursuant to Rule 505 of Chapter 2 (codified as 35 Ill. Adm. Code 237.103). The petition fails to request a hearing or waive a hearing as required by 35 Ill. Adm. Code 104.124. However, as this matter may involve a SIP amendment, it should be scheduled for hearing.


Even so, the petition as submitted is too deficient to set for hearing. Since the petition requests a variance from the air regulations, it should indicate whether the Board may grant the relief consistent with the Clean Air Act [35 Ill. Adm. Code 104.122(a)]. In addition, the Board notes that the open burning of explosive contaminated waste may be subject to regulation under the RCRA rules, in particular 35 Ill. Adm. Code 700.105, 703.140 and 725.482. This has been the subject of a recent Appellate Court decision (Trojan v. IEPA, PCB 82-23, Fifth District, September 14, 1983). Petitioner should review these regulations and indicate whether variances will be necessary.

Additionally, the petition should more thoroughly address: a) in paragraph 4, how the emissions were calculated and whether the AP-42 manual as updated in May, 1983 was used; b) what hours (e.g. only daytime?) are proposed for burning; c) what health departments will be notified (e.g. Will County?); d) in paragraph 3(a) who is to approve the "approved manner"; e) what firebreaks, berms, etc. are to be used; f) what firefighting equipment and security or other trained personnel will be on hand during and after burning.

The petition will be subject to dismissal unless an amended petition addressing the noted deficiencies is filed within 45 days of the date of this Order.

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 1st day of December, 1983 by a vote of 7-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board