

ILLINOIS POLLUTION CONTROL BOARD
April 26, 1990

THE ENSIGN-BICKFORD COMPANY,)
)
) Petitioner,)
)
) v.) PCB 90-83
) (Provisional Variance)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on receipt of an Agency Recommendation dated April 25, 1990. The recommendation refers to an April 11, 1990 request from Petitioner, Ensign-Bickford Company for a 45-day provisional variance from Board regulations relating to open burning, as set forth in 35 Ill. Adm. Code 237, for the period from May 1, 1990 to June 14, 1990.

Upon receipt of the request the Agency issued its recommendation, concluding that the failure to grant the requested 45-day provisional variance would impose an arbitrary or unreasonable hardship on Petitioner.

The Ensign-Bickford Company operates a manufacturing facility in Wolf Lake, in Union County. At this facility are two wooden structures contaminated with explosive wastes. Ensign-Bickford presently disposes of its explosive wastes by open burning under the variance granted by the Board in PCB 88-156 and PCB 88-168 (consolidated). Ensign-Bickford plans an expansion of these facilities with new, modern buildings and proposes to burn two existing structures to reduce potential hazards to the environment from their continued existence. These structures are the "Break-out" and "Balloon" buildings. The "Break-out" building is a single-story structure 16½ feet wide and 49 feet long, with a shingle roof. The "Balloon" building is a single-story structure 22 feet wide and 44 feet long, with two 12 foot by 21 foot annexes and a tar-paper roof. Ensign-Bickford's compliance plan consists of removing the roofing material prior to burning, removal and open burning of waste materials pursuant to its effective variances, then burning the buildings pursuant to this provisional variance.

The Agency recommends that the Board grant the requested provisional variance with certain conditions. The Agency cites that the Board has not yet granted Ensign-Bickford provisional variance relief during 1990. The Agency points out that the burning will have "some environmental impact to an unquantified degree," but that this should not cause a violation of the

National Ambient Air Quality Standard.

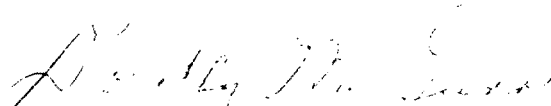
In light of the Agency Recommendation, the Board hereby grants a provisional variance from 35 Ill. Adm. Code 237 from May 1, 1990 to June 14, 1990, with the following conditions:

1. That Ensign-Bickford remove the roofing materials from the "Break-out" and "Balloon" buildings prior to burning the structures;
2. That Ensign-Bickford remove all explosive waste materials from the "Break-out" and "Balloon" buildings prior to burning the structures;
3. That Ensign-Bickford shall not burn both the "Break-out" and "Balloon" buildings in the same day;
4. That Ensign-Bickford shall only burn the "Break-Out" and "Balloon" buildings on calm, clear days when the wind speed does not exceed 10 miles per hour;
5. That Ensign-Bickford shall promptly clear the site of resultant ash after it has burned each of the "Break-out" and "Balloon" buildings;
6. That Ensign-Bickford shall have fire prevention plans and equipment ready and in place at the facility when it burns the "Break-Out" and "Balloon" buildings, as described in its April 11, 1990 variance request to the Agency; and
7. That Ensign-Bickford shall notify the Agency, the local fire department, and the county forestry service of the exact date and time when the proposed burning will occur, at least 72 hours in advance of when it is intended to occur.

IT IS SO ORDERED.

Board Member J. Dumelle dissents.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 26th day of April, 1990, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board