

ILLINOIS POLLUTION CONTROL BOARD
March 22, 1973

OLIN CORPORATION,)
a Virginia Corporation)
) #72-517
)
v.)
)
ENVIRONMENTAL PROTECTION AGENCY)

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

On October 31, 1972, in Case #72-357, we granted an order extending the variance previously granted in #71-60 and subsequently extended in #71-371 to March 31, 1973. The variance authorized Olin Corporation to burn in the open certain explosive waste generated in its manufacture of military flares, missiles, rocket igniters and jet aircraft starter cartridges at its Williamson County facility.

The present petition seeks an extension from the March 31, 1973 date to March 31, 1974. All of the foregoing variance allowances were in contemplation of petitioner developing a novel experimental-type incinerator for disposal of the scrap generated. Applications have been made to the Agency to authorize operation of this facility.

On March 3, 1972, a permit was granted to Olin to open burn in an experimental incinerator, as defined in the plans and specifications submitted on February 23, 1972. The permit was subject to certain specified conditions and expired on March 3, 1973. Initial runs of the experimental incinerator resulted in excessive amounts of washer water being blown out of the stack, which conditions Olin anticipates will be corrected by changes in the drainage piping. Olin represents that it will need the additional year in order to perfect the incinerator and that in the meantime, it will be burning explosive scrap in an abandoned strip mine area, which burning will not produce any adverse impact on adjacent properties.

Disposal of explosive wastes by open burning at the present time appears to be the only safe method of disposal, pending development of more sophisticated incineration processes, which are still in the experimental stage.

The Agency has recommended that the variance be granted only until July 1, 1973, or until the incinerator is operational, and the petitioner has obtained permits from the Agency, which even if sooner, subject to conditions of reporting, observation of burning by Agency personnel, the submission of monthly reports detailing progress

toward the completion of the experimental incinerator, dates of testing and details as to when operational permits will be sought. The Agency promises the allowance until July 1, 1973 on the belief that application for all necessary permits will be made by March 31, 1973 and that the Agency will be in a position to act on the permit applications by July 1, 1973. However, even if this were the case, it would seem to give Respondent an inordinately short period of time to come into compliance, because if the permits are not granted until July 1, 1973, it is unreasonable to expect that the incinerator will be operational on the same date.

We believe that Olin has demonstrated progress toward the achievement of its objective and while it has not adhered to the original time schedule contemplated, it has offered satisfactory reasons in justification for the delay. It is conceded that the burning takes place in a remote area and that no impact on adjacent property has been reported. Likewise, it has been determined that no satisfactory alternative to the open burning of explosive waste of the sort involved in this proceeding is presently available. We will grant the variance until January 1, 1974, subject to all of the terms and conditions heretofore imposed in our earlier variance allowances, #71-60, #71-373 and #72-357.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board that:

1. Variance heretofore granted on October 31, 1972 in Case #72-357 be extended to January 1, 1974, subject to all terms and conditions as provided in Case #71-60, #71-371 and #72-357 to the extent said conditions remain presently applicable.
2. Petitioner shall do the following:
 - (a) Notify the Agency of the date and time when the experimental incinerator is tested and permit Agency personnel to observe said testing;
 - (b) Confine the open burning of explosive waste to times when atmospheric conditions are conducive to dispersion of contaminants; and
 - (c) Submit monthly reports to the Agency in writing, detailing its progress toward the completion of the

incinerator, dates of tests on the incinerator, the completion date of the testing program and progress toward completion of permit applications, including the date petitioner intends to file its permit application with the Agency.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 22nd day of March, 1973, by a vote of 4 to 0.

Christan J. Moffett

