

ILLINOIS POLLUTION CONTROL BOARD

April 12, 1973

CITY OF MENDOTA,)
)
 Petitioner,)
)
 vs.) PCB 72-486
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

Edward H. Baker, Attorney for Petitioner
Steven C. Bonaguidi, Assistant Attorney General for the EPA

OPINION AND ORDER OF THE BOARD (by Mr. Henss)

The City of Mendota requests a variance from Section 9(c) of the Environmental Protection Act, Rules 3.05 and 5.12(d) of the Rules and Regulations for Refuse Disposal Sites and Facilities, and Sections 502(a) and (b) of the Pollution Control Board Regulations Chapter 2, Part V. The variance is requested for the purpose of burning trees, sticks, limbs and other wood located at an old dump site about one mile south of town. The Environmental Protection Agency has recommended that the variance be denied and that the City dispose of the material by using an air curtain destructor or by burying the material at the landfill site.

The Mayor, Street Superintendent and one of the aldermen testified in favor of the variance petition. They stated that most of the limbs, tree trunks and wood material came from trees in the City which had been damaged by storm or had been killed by the Dutch Elm Disease. They estimated that there were 50 or 60 cubic yards of material to be burned. About 6 or 8 of the stumps were so large and heavy that they could not be removed from the site by the use of any City equipment. The tree removal firm which had taken these large stumps to the site originally is no longer in business.

They testified that the cost of an air curtain destructor is prohibitive since Mendota is operating at a deficit and had just borrowed \$40,000 from local banks to pay other City obligations. The price of an air curtain destructor ranges from \$4300 to \$7700 and Petitioner states that installation of concrete pit and electricity would bring the total cost to around \$12,000 - \$13,000. We suggest, however, that the concrete and electricity might not be necessary for Petitioner's purpose.

The City no longer uses this particular dump site but hauls its garbage and debris to Peru about 18 or 20 miles away. The City officials stated that some of the stumps were too huge to be hauled to Peru; that the City did not have the equipment for such a haul, and that the cost of that type of an operation would be prohibitive.

They also testified that the trees, stumps, and limbs could not be buried at the dump site since this old dump had been used for some 50 years and was full of debris of all types which would interfere with the digging operation, i.e. junked cars, metal appliances, wire, rock and concrete.

The City officials further stated that there was no material on the site which was adequate for covering the logs and tree stumps. There was no testimony regarding the availability and cost of obtaining such cover material.

The City does not have a chipper but there has been some discussion regarding the possible purchase of a chipper.

An EPA supervisor with the Land Pollution Control estimated that the wood material consisted of some 30 cubic yards. He agreed that it was not feasible for the City with its present equipment to haul this material to the Peru landfill. However, this supervisor testified that based upon his knowledge of dump and landfill areas it would be possible to excavate into the landfill where the logs and stumps were located.

The City officials testified that there would be a recurring need for burning in this area because storms would continue to damage trees. They further testified that the stumps in particular did not burn well since they were so big and since parts of the stumps were covered with dirt. The City plan is to start the fires with fuel oil and let them smoulder. When the fires go out they will be started again with fuel oil and eventually after several weeks it is contemplated that the stumps and logs will be completely burned. This dump is situated in a farm area. The prevailing winds are from the west, and the closest houses are located about one mile to the east. City officials stated that burning would take place only when the wind was coming from the right direction so that smoke would not blow into town.

We agree that the costs of removing this material to the Peru landfill or of purchasing and installing an air curtain destructor are prohibitive for the City of Mendota. The record is inadequate for us to determine whether the stumps could be buried at the site where they are now located. Witnesses for the Petitioner stated that excavation was not possible. The witness

for the Respondent stated that excavation was possible. No tests of the dump area had been made by either party and there was no reference whatsoever to the possibility of bringing cover material from another location.

Ordinarily we would not be overly concerned about a one-time burning of 30 cubic yards or 50 or 60 cubic yards of accumulated wood since that is not the most offensive type of open burning. However, in this particular case we note that, in burning the large stumps, fuel oil is a necessary ingredient and that the fire will be a smouldering and long-lasting fire which may continue through various wind shifts and under various atmospheric conditions. We recognize that it is more troublesome to dispose of huge stumps but at the same time the emissions from the burning of such stumps are also more troublesome.

We allow the variance to burn the branches, logs, brush and wood which can be consumed in one burning but deny permission to burn the large stumps. We feel that the Petitioner should further investigate the possibility of disposing of the large stumps at the site where they are now located by burying them or by reducing them in size with power tools so that they may be burned in the same manner as the smaller branches. Long smouldering fires should be avoided. The burning should take place only when atmospheric conditions will readily dissipate the contaminants.

ORDER

It is ordered that:

The Petition for Variance is allowed for the burning of the branches, logs, brush and wood but is denied with regard to the large stumps. The open burning shall take place only under atmospheric conditions which will readily dissipate the contaminants. Long smouldering fires shall be avoided.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 12th day of April, 1973 by a vote of 4 to 0.

Christian L. Moffett

