

ILLINOIS POLLUTION CONTROL BOARD

March 15, 1973

CITY OF CHRISTOPHER,)
)
 Petitioner,)
)
 vs.) PCB 72-456
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

Mr. Carrol Owens, Attorney for Petitioner
Mr. Thomas J. Immel, Assistant Attorney General for the EPA

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

Petitioner City of Christopher requests a variance from our Open Burning Regulation for the purpose of allowing its residents to burn their "domestic waste" in open barrels. The residue from such burning would be picked up periodically and taken to a landfill. Petitioner claims that it would be a hardship on the citizens of Christopher to comply with the Open Burning Regulation because: a) the City has a large population of elderly persons on fixed incomes who would be required to pay an increased sum for removal of their domicile waste, b) the City would be required to spend large sums of money to improve alleys so garbage pickup could occur, c) the City is not large enough to operate a garbage pickup service without charging a large sum of money.

The Environmental Protection Agency has recommended that the variance petition be denied.

Upon hearing, it was stipulated that about 1/5 of the population of Christopher receives social security or medicare benefits. The hearing further established that a County landfill is located about six miles from town. The City pays the County \$1 per capita for use of the landfill by Christopher residents. Two refuse disposal services are available in Christopher. They haul refuse to the landfill at a cost per household of about \$2.50 per month.

Mayor Smith and Councilman Trogolo both testified in favor of the variance petition, stating it was too burdensome to haul leaves, papers and limbs to the landfill and that the burning of this type of material was not a problem. Citizens of the community testified to the same effect.

Mayor Pro Tem Dalton Bradley and Chief of Police Barclay, however, told an EPA investigator that compliance with the Open Burning Regulation had resulted in a reduction of odor complaints from citizens and the removal of unsightly burning barrels.

Petitioner did not establish the quantity of contaminants to be emitted, any plans for future control of emissions or a time schedule for bringing the activity into compliance. The EPA estimated that the emissions from the allowance of the Petition would include 71 lbs. per day of particulates, 379 lbs. per day of carbon monoxide and 134 lbs. per day of hydrocarbons.

We do not feel that it is a hardship to dispose of domicile wastes through the landfill method. The cost and inconvenience of this method of disposal seem nominal when compared to the benefits gained to the community through eliminating odors, unsightly burning barrels and creating a more healthful atmosphere. Therefore, we deny the variance request for the open burning of domestic waste or domicile waste.

Some of the witnesses also discussed their problems in the disposal of leaves and branches. Such complaints exist in other communities of like size. They are not unique to the City of Christopher. We have relaxed the leaf burning ban once and the debate continues. The petition did not request a variance for the purpose of burning landscape waste, however, the remarks of the witnesses will be appropriately considered in any future hearing to amend that Regulation.

ORDER

It is ordered that the Petition for Variance from the Open Burning Regulation for the purpose of burning domestic waste or domicile waste is hereby denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify the above Opinion and Order was adopted this 15th day of March, 1973 by a vote of 3 to 0.

Christan L. Moffett