

ILLINOIS POLLUTION CONTROL BOARD
July 22, 1971

CITY OF ZION)
)
 v.) # 71-128
)
 ENVIRONMENTAL PROTECTION AGENCY)

Opinion of the Board (by Mr. Currie):

Zion seeks to burn "dead or diseased" trees. As in many earlier cases, there is no sufficient allegation of hardship in the case of ordinary dead trees (see City of Winchester v. EPA, #70-37, Feb 8, 1971). In the case of diseased trees and of elm wood, which can harbor pests, we have held the need to avoid the spread of disease justifies burning under appropriate conditions (ibid). Here the site is remote enough (1000' from the nearest building, 1/2 mile from homes), but it is an incompletely covered dump. We shall require that the site be cleaned up before any burning is done.

ORDER

The City of Zion is granted a variance to allow the open burning of trees for six months from this date at the site described in the petition, subject to the following conditions:

1) No burning shall be done until all other refuse at the site has been adequately covered or removed.

2) Only vegetation affected with infectious disease, or any elm wood, may be burned.

3) Burning shall be done in accord with reasonable time, weather, and other conditions to be prescribed by the Agency.

4) No extension of this variance shall be allowed in the absence of proof that alternative methods such as the air-curtain destruct or have been investigated and found wanting.

I, Regina E. Ryan, Clerk of the Pollution Control Board certify that the Board adopted the above opinion this 22 day of July, 1971.

