ILLINOIS POLLUTION CONTROL BOARD July 24, 1980

MEDUSA AGGREGATES COMPANY,)		
Petitioner,)		
v.)	PCB	80-55
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)		
Respondent.)		

OPINION AND ORDER OF THE BOARD (by I. Goodman):

The Petitioner, Medusa Aggregates Company, on April 28, 1980 filed an Amended Petition for Variance from Rules 203(b) and 203(f) of Chapter 2: Air Pollution Control Rules and Regulations. Rule 203(b) establishes particulate emission limitations for existing sources. However, Petitioner's fine grind operation, which commenced in the Autumn of 1972, is a new emission source and therefore is regulated by Rule 203(a). The Board, therefore, construes Petitioner's variance request to be seeking relief from Rule 203(a) and Rule 203(f).

Petitioner has waived a hearing in this matter. The Illinois Environmental Protection Agency (Agency) recommends that Petitioner be granted a variance from Rules 203(a) and 203(f) of Chapter 2 until September 30, 1980, subject to specific conditions.

Petitioner owns and operates a limestone quarry and a processing facility located approximately 5 miles west of Kankakee which dries and grinds agricultural limestone. Approximately 26 tons of limestone are ground per hour. Stone dust emissions are channeled through a cyclone separator that has an estimated 70% efficiency, and remaining emissions are filtered through a baghouse collection system before being emitted into the atmosphere.

Since May, 1978, the baghouse filter has not operated correctly; consequently, the filter has been bypassed in order to maintain production. The Agency has estimated that 46.8 pounds of dust per hour are emitted into the atmosphere when the filter is bypassed. Petitioner, despite several attempts, has not succeeded in repairing the filter and particulates well in excess of the Rule 203(a) limitations (14.47 pounds per hour) continue to be emitted.

Petitioner's facility is located in a rural area in Limestone Township, a primary national ambient air quality standards

attainment area for total suspended particulates (TSP). The monitoring station nearest to the facility, located approximately 10 miles northeast of the facility, recorded annual geometric means of 70 ug/m and 64 ug/m for TSP in 1978 and 1979 respectively.

Petitioner's original variance petition described the various changes that were made after consultation with engineers representing the manufacturer of the filter. Several engineering alternatives were implemented in accordance with the instructions of the consultants without success. These remedial actions included changes in the types of bags used, equipment modifications, increasing purge air pressure, installation of a new purge air fan motor, extending the pipe inlet to the purge air fan, and changes in ventilation.

Petitioner's program to achieve compliance with the TSP emission limitation in Rule 203(a), set forth in its amended petition, includes raising the temperature of filter bags during purge and installing high temperature filter bags. If these steps are unsuccessful, the program requires the installation of a new high pressure purge filter baghouse system by September 30, 1980.

The Board finds the compliance program and time schedule reasonable and, therefore, will grant a variance through September 30, 1980. To deny a variance would impose an unreasonable hardship upon Petitioner in light of its substantial and good faith efforts to achieve compliance and in light of the minimal adverse effects on the environment.

Variances from the Board's air regulations may be granted only if they are consistent with the Clean Air Act, 42 U.S.C. \$7401, et seq. The Agency intends to submit any variance granted herein to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan (SIP) pursuant to 42 U.S.C. \$7410(a)(3). Such submittal will cause this variance to be consistent with the Clean Air Act upon approval by the U.S. Environmental Protection Agency as a revision to the SIP. Petitioner, however, may become subject to noncompliance penalties under 42 U.S.C. \$7420 if the terms and conditions of this variance are not met.

The Board has considered all the facts and circumstances bearing upon the reasonableness of the emissions involved, including an objection to the petition filed by one of Petitioner's neighbors. If Petitioner follows the Order herein, the amount of dust reaching the neighbor's property should be minimized to the extent that it is technologically feasible to do so.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

ORDER

It is the Order of the Illinois Pollution Control Board that Medusa Aggregates Company be granted a variance from Rules 203(a) and 203(f) of Chapter 2, the Board's Air Pollution Control Rules and Regulations, through and including September 30, 1980 under the following conditions:

- 1. Medusa Aggregates Company shall enact the following compliance plan:
 - a. By June 13, 1980, raise the temperature of filter bags during purge.
 - b. By July 11, 1980, install high temperature filter bags.
 - c. By September 30, 1980, if steps (a) or (b) are unsuccessful, install a new high pressure purge filter baghouse system.
- 2. Within 21 days of the date of this Order, and every month thereafter, Medusa Aggregates Company shall submit written reports detailing the progress made in achieving compliance with Rules 203(a) and 203(f) of Chapter 2: Air Pollution Control Rules and Regulations to the Illinois Environmental Protection Agency, Division of Air Pollution Control, Control Program Coordinator, 2200 Churchill Road, Springfield, Illinois, 62706 and to the Illinois Environmental Protection Agency, Division of Air Pollution Control Region I, Field Operators, 1701 South First Avenue, Maywood, Illinois 60153.
- 3. On or before September 30, 1980, Medusa Aggregates Company shall conduct a stack test and shall notify the Illinois Environmental Protection Agency at the addresses above in writing at least 7 days prior to testing to allow Agency representatives to witness the test. Medusa Aggregates Company shall submit all results of such test to the Agency at the addresses above on or before October 15, 1980.
- 4. Medusa Aggregates Company shall execute a Certification of acceptance of the terms and conditions of this variance within 45 days of the date of this Order and shall send copy of the executed Certification to the Agency at the addresses above. The 45-day period shall be held in abeyance during any period that this matter is being appealed. Certification shall be in the following form:

CERTIFICATION

I (We), _______, having read and fully understanding the Order in PCB 80-55, hereby accept that Order and agree to be bound by its terms and conditions.

Signed
Title
Date

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 24th day of _______, 1980 by a vote of 5-0.

Christan L. Moffett Clerk
Illinois Pollution Control Board