

ILLINOIS POLLUTION CONTROL BOARD
September 7, 1995

IN THE MATTER OF:)
)
CO-PETITION OF SOLAR) AS 94-2
CORPORATION AND THE ILLINOIS) (Adjusted Standard - Air)
ENVIRONMENTAL PROTECTION)
AGENCY FOR AN ADJUSTED)
STANDARD FROM 35 ILL. ADM.)
CODE 218 SUBPART PP)

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on a "Motion to Modify Final Board Order," filed by the Illinois Environmental Protection Agency (Agency) on August 14, 1995. Solar Corporation (Solar) filed a response to the motion on September 1, 1995. Because the Agency's motion is requesting that the Board re-examine a final Board opinion and order, we will treat it as a motion for reconsideration.

In its motion, the Agency seeks to modify the language of the Board's July 20, 1995 opinion and order granting the co-petition for adjusted standard in this matter. The Agency states that a misunderstanding has resulted concerning its position regarding the environmental and health effects of the proposed adjusted standard. In its motion, the Agency points out that it stated at hearing:

The Agency believes that the proposed adjusted standard will not result in environmental or health effects substantially and significantly more adverse than the effects than those considered in adoption [of R93-14 regulations].

(Tr. at 10.)

In a motion to correct the transcript filed by Solar on May 3, 1995, and agreed to by the Agency, Solar made the following correction at page 18 of the transcript.

As the Agency has stated, we believe that this adjusted standard will result in some ill effects or adverse impact on the environment . . . " should read "... this adjusted standard will result in no ill effects or adverse impact . . .".

The Agency states in its motion that it considers this statement to be in error, and that it mistakenly concurred in the motion to correct the transcript. The Agency states that it does not consider emission of VOM, especially during the ozone season, to be insignificant. The Agency therefore asserts that the statement should properly have been left as "some ill effects",

not "no ill effects." Therefore, while the Agency still recommends that the adjusted standard be granted, it asks that page 8 of the July 20, 1995 opinion of the Board be modified as follows:

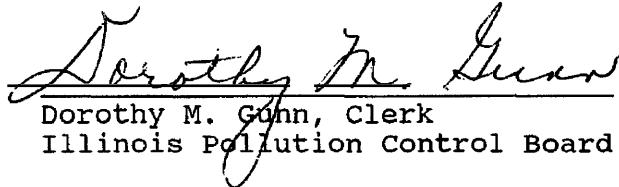
The petitioners assert that impact to general air quality and the effects to the health or environment, will be insignificant based upon the emission data of VOM from the adhesives used by Solar, and that the requested adjusted standard will not be substantially or significantly more adverse than the impact and effects than those considered in adoption of RACT regulations. have no adverse impact on health or the environment.

In its response to the motion, Solar states that, while it believes that the relief granted will result in no ill effects or adverse impact upon human health and the environment, it has no objection to the Agency's proposed modification.

Because the proposed change will clarify the agreed-upon position of the joint petitioners concerning the effect of the proposed adjusted standard, the motion for reconsideration is granted. The Agency's proposed changes to the final opinion are accordingly adopted. We note that this will only affect the language of the July 20, 1995 opinion, and will not affect the language of the July 20, 1995 final order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of September 1995, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board