



were adopted April 30, 1971. 36 F.R. 8186 These standards, it should be said, do not directly limit emissions from individual plants; they prescribe maximum permissible concentrations in the air as a whole. The federal government has no direct authority to prescribe emission limits. The States are to do that, subject to federal review. Federal thoughts on the matter of emission limits are indicated by the model regulations published as a guide to the States in developing implementation plans to achieve compliance with the air-quality standards. 36F. R. 6680, 7971. Anyone worried about federally influenced regulations would appear quite safe in designing to meet the model federal regulations.

But we may very well tighten those limits ourselves. We have so proposed for the Chicago and St. Louis areas (##R71-4, R71-8) and may well do so statewide. The testimony is that the proposed new standard can be met on a foundry cupola with a scrubber of 98% efficiency, which is clearly available and in common use (Transcript, ##R70-15 and R71-4, pp.79-90. An intelligent foundry owner with no control equipment would install such a scrubber as soon as is physically possible in an effort to avoid both a shutdown for violating the present law and the risk of being required to rebuild within a very short time. The likelihood that a more stringent emission regulation than that proposed for Chicago will be adopted by anybody for East Dubuque is remote indeed and does not justify further delay.

The petition is dismissed. The company would be well advised to file an amended petition at once embodying a firm program for complying with the regulations in the shortest possible time. The question whether by its delay the company has used up its time to pollute while correcting the problem will be the principal issue, together with the question of money penalties for the delay unless it can be satisfactorily explained. A complaint by the Agency would also appear to be called for.

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I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the board adopted the above Opinion this 28 day of June, 1971.

