

ILLINOIS POLLUTION CONTROL BOARD
October 18, 1989

ROADMASTER CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 87-136
) (Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a September 18, 1989 petition for extension and modification of variance, filed by Roadmaster Corporation. On September 28, 1989, the Board issued an order construing the petition for variance as a motion for modification. Roadmaster seeks an extension of the variance granted by the Board on September 8, 1988. That variance, which expired on September 30, 1989, allowed Roadmaster an exemption from 35 Ill. Adm. Code 215.204(j)(3) for volatile organic material (VOM) emissions from its flowcoaters. Roadmaster has also filed for a site-specific rule change for these two flowcoaters in R88-19. On July 13, 1989, the Board proposed for first notice the site-specific relief sought by Roadmaster in R88-19, with certain conditions. Roadmaster now seeks an extension of its variance pending the completion of the rulemaking.

The Agency has not formally responded to Roadmaster's motion, but has indicated that it neither supports or opposes the request.

Because Roadmaster's site-specific rule is in the rulemaking process, the Board will grant Roadmaster's motion for extension of the variance granted on September 8, 1988. The variance extension is for one year or until the completion of the rulemaking, whichever occurs first. The variance will be subject to the same conditions as were previously imposed. The Board notes that it has retained all conditions in the following order, it assumes that the conditions which are now out-of-date have been fulfilled.

ORDER

Petitioner, Roadmaster Corporation, is hereby granted variance from 35 Ill. Adm. Code 215.204(j) until October 18, 1990, or until completion of the rulemaking process in R88-19,

whichever occurs first. The variance is subject to the following conditions:

1. Roadmaster Corporation's Olney Plant shall not omit volatile organic material from its white flow coat application line greater than the present 3.9 pounds per gallon of coating. The black flow coat application line shall not emit volatile organic matter greater than the present 4.8 pounds per gallon.
2. Roadmaster will conduct, or authorize, a study to examine the possibility of using internal offset to reach compliance. This study shall be concluded by May 31, 1989 and the results shall be reported to:

Air Pollution Control Division
Illinois Environmental
Protection Agency
2200 Churchill Road
Springfield, IL 62794
3. Roadmaster shall continue to search for compliance coatings and shall submit quarterly progress reports during the variance period, detailing its progress in coming into compliance, to the Agency at the address in condition (2) above.
4. If at any time during this variance period, Roadmaster is informed by paint manufacturers that a coating material for the white flowcoater cannot be formulated, Roadmaster be required to proceed with an alternate compliance strategy during the term of the variance and be required to initiate the strategy by June 30, 1989.
5. Within 45 days of the date of this Order, Petitioner shall execute and forward to the Agency at the address in condition (2) above, a Certification of Acceptance and Agreement to be bound to all terms and conditions of this variance. The 45-day period shall be held in abeyance during any period that this matter is being appealed. If the Petitioner fails to execute and forward this agreement

within 45 days, the variance shall be void. The form of said Certification shall be as follows:

CERTIFICATION

I, We), _____, having read the Order of the Illinois Pollution Control Board, in PCB 87-136, dated October 18, 1989, understand and accept the said order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

Title

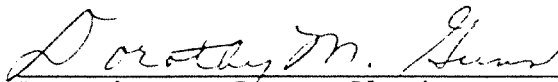
Date

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111½ par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

J. D. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 18th day of October, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board