

ILLINOIS POLLUTION CONTROL BOARD
January 8, 1987

EKCO GLACO CORPORATION)
)
 Petitioner,)
)
 v.) PCB 86-91
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY)
)
 Respondent.)

SUPPLEMENTAL OPINION AND ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on a Motion for Reconsideration filed by Ekco Glaco Corporation (Ekco) on December 19, 1986. The Illinois Environmental Protection Agency (Agency) filed a Response on January 2, 1986. In its motion, Ekco requests that the Board modify its Opinion and Order of November 20, 1986 which had granted Ekco a variance from 35 Ill. Adm. Code 215.204(j)(1) and 215.205 until January 1, 1987. Specifically, Ekco is seeking that the variance granted by the Board on November 20, 1986 be extended until February 15, 1987. Ekco states that it will not be in compliance by January 1, 1987 due to delays and complications it has encountered in the procurement and installation of volatile organic material (VOM) control equipment. However, Ekco asserts that its compliance plan will be completed by February 15, 1987. In its Response, the Agency states that it has no objection to extending the variance until February 15, 1987 and that it fully expects Ekco's afterburner to be installed and operating by that date. In light of Ekco's good faith efforts toward attaining compliance and the fact that in this instance no environmental impact will result from the 45-day variance extension, the Board will grant Ekco's motion to modify the Board's Order of November 20. Therefore, Ekco's variance shall extend until February 15, 1987.

ORDER

The Board hereby modifies its Order of November 20, 1986 in this matter to read as follows:

The Board hereby grants Ekco Glaco a variance from 35 Ill. Adm. Code 215.204(j)(1) and 215.205 from November 20, 1986 to February 15, 1987, subject to the following conditions:

- (1) Ekco Glaco shall use coating materials which have a VOM content less than or equal to those presently used.
- (2) Within thirty (30) days of the date of this Order, Ekco Glaco shall reapply for an operating permit for its

coating lines (I.D. #031 600 FBT, No. 75060010), pursuant to 35 Ill. Adm. Code 201.157. Any subsequent application for renewal of this permit, to the extent that it encompasses operation of the uncontrolled used pan coating line, shall provide information to the Agency adequate to demonstrate that the operation of that line is in compliance pursuant to the internal offset rule, 35 Ill. Adm. Code 215.207.

- (3) Prior to the initiation of construction of any VOM control system, Ekco Glaco shall timely submit an application for a construction permit for that system in accordance with 35 Ill. Adm. Code 201.152. Construction shall not be begun until a construction permit is issued. Operation of the emission control system is not allowed until an operating permit is issued by the Agency, pursuant to Section 35 Ill. Adm. 201.143.
- (4) The Agency shall be notified in writing at the address provided below of any stack tests to be performed at the facility at least five working days before such stack tests take place. Agency personnel may witness any such test. Notices shall be sent to:
1. Manager, Permit Section
Division of Air Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62706
 2. Manager, Field Operations Section
Division of Air Pollution Control
1701 South First Avenue
Suite 600
Maywood, Illinois 60153
- (5) Within forty-five (45) days after the date of the Board Order the Petitioner shall execute and send to:

Mr. Joseph R. Podlewski, Jr.
Enforcement Attorney
Illinois Environmental Protection Agency
1701 South First Avenue
Suite 600
Maywood, Illinois 60153

A certification of its acceptance of this variance extension by which it agrees to be bound by its terms and conditions. This forty-five (45) day period shall be held in abeyance for any period which this matter is appealed. The form of the certification shall be as follows:

CERTIFICATION

Ekco Glaco Corporation hereby accepts and agrees to be bound by all terms and conditions of the Orders of the Pollution Control Board in PCB 86-91 dated November 20, 1986 and January 8, 1987.

EKCO GLACO CORPORATION

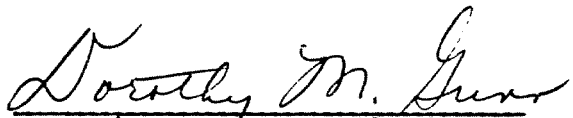
BY: _____
As Authorized Agent

Title

IT IS SO ORDERED.

B. Forcade Concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Supplemental Opinion and Order was adopted on the 8th day of January, 1987, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board