

ILLINOIS POLLUTION CONTROL BOARD
June 27, 1985

MOORE AMERICAN GRAPHICS, INC.,)
)
Petitioner,)
)
v.) PCB 83-241
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

SAMUEL T. LAWTON, JR., ESQ., ALTHEIMER & GRAY, APPEARED ON BEHALF OF PETITIONER.

PETER E. ORLINSKY, ESQ., APPEARED ON BEHALF OF RESPONDENT.

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

This matter comes before the Board on a December 30, 1983 petition filed by Moore American Graphics, Inc. (Moore) requesting extension of a variance from 35 Ill. Adm. Code 215.204(c) (formerly Rule 205(n)(1)(c)) until December 31, 1985. On January 12, 1984 the Board ordered Petitioner to submit additional information and an amended petition was filed on February 7, 1984. By order of February 9, 1984 the Board again requested additional information and set the matter for hearing. The Illinois Environmental Protection Agency (Agency) filed its recommendation that variance be granted subject to conditions on May 23, 1984. Hearing was held on May 16, 1985.

Moore owns and operates a facility in Bridgeview, Illinois which coats and laminates paper book and magazine covers. The facility includes four coating machines and four laminating machines (R. at 23). These machines have associated drying ovens which vent directly to the atmosphere. The coatings used by Moore contain volatile organic compounds (VOC) which are emitted during production. Section 215, Appendix C requires that paper coating operations must be in compliance with Section 215.204(c) by December 31, 1982. Section 215.204(c) limits VOC emissions to 0.35 kg/l (2.9 lb/gal).

By letter filed on February 24, 1984 Moore indicated that in 1982 its VOC emissions from its laminating lines were 131,600 lbs and in 1983 the level had decreased to 111,600 lbs. Emissions from the coating lines were constant for both years at 91,000 lbs. In the previous variance, Moore indicated that in 1982 its laminating adhesive had an average VOC content of 4.7 lb/gal and its coating material had an average content of 4.3 lb/gal. PCB 83-1, April 21, 1983 at 2.

The previous variance from Section 215.204(c) required Moore to pursue a reformulation program to reduce VOC emissions to permissible levels by December 31, 1983. Because of an unanticipated set-back in the reformulation process, Moore was unable to comply by the required date and now requests an extension to December 31, 1985.

The delay in the reformulation program was principally due to the fact that the experimental coatings formed hydrochloric acid when exposed to high temperatures in the drying ovens. This acid was damaging to Moore's equipment and thus, Moore was forced to develop a means of preventing the acid formation or develop replacement low VOC coatings. The Agency states that while it is disappointed with this inability to achieve compliance it believes Moore has been diligent in its efforts (Rec. at par. 10).

While the petition indicated that Moore intended to achieve compliance by using new coatings, at hearing Mr. Ashmead testified that no commercially acceptable alternatives had been found (R. at 10). Owners or operators of coating lines unable to comply with Section 215.204 may, as an alternative, demonstrate compliance by adding on a control device in accordance with Section 215.205. Because no new sources for chemicals to try could be identified, Moore decided to install a solvent recovery system which is expected to be operational by December 31, 1985. The system consists of an activated charcoal bed over which all captured air from the coaters and laminators is passed. The carbon absorbs the solvents. When the bed is saturated, steam is used to remove the captured solvent which is then delivered to a holding tank for reclamation.

In the interim, Moore is continuing to test any water-base coatings that become available. Moore is also experimenting with pre-coated film which is activated by heat and then applied without any solvent emissions (R. at 17-18).

To date, Moore has expended approximately \$500,000 on new laminating equipment capable of running the water-base adhesives and for running the requisite tests. The solvent recovery system is expected to cost between three and four hundred thousand dollars (R. at 19-20).

Moore has not conducted a formal assessment of the environmental impact should this variance be granted. The facility is located in an industrial area with the nearest residences located approximately one half mile south. The Agency states that it has received no complaints from area residents. At hearing, however, two citizens stated that they had smelled odors in the area, although they were uncertain about their source (R. at 33-40). Mr. Altar, in particular, was concerned about the health effects of Moore's emissions (R. at 37-39).

Volatile organic compounds contribute to the formation of ozone. Ozone is a criteria pollutant for which there are identical national and state air quality standards (0.12 ppm (235 ug/m³)). Moore's facility is located in an area designated non-attainment for ozone. The closest monitoring station is located at 8010 South Kostner in Chicago which is approximately four miles to the northeast. In 1982 and 1983, the air quality standard was not exceeded at this station.

The Board finds that to deny Moore a variance from Section 215.204(c) would constitute an arbitrary or unreasonable hardship. Moore has historically been diligent in seeking a means to reduce its VOC emissions and expects to achieve compliance through installation of a solvent recovery system by December 31, 1985. Moore's efforts constitute sufficient satisfactory progress to warrant a variance extension. However, the Board will condition this variance upon the use of coating materials which have a VOC content less than or equal to the presently used materials. Unfortunately, the information necessary to set a precise level is lacking as figures are available only for 1982.

Because Section 215.204(c) was approved by USEPA as part of the State Implementation Plan (SIP), grant of this variance will necessitate a SIP revision. The Agency has opined that grant of this variance, consistent as it is with their recommendation, should be approvable as a SIP revision. Accordingly, variance is granted from 35 Ill. Adm. Code 215.204(c) from December 31, 1983 until December 31, 1985, subject to conditions.

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

ORDER

Moore American Graphics, Inc. is hereby granted a variance from 35 Ill. Adm. Code 215.204(c) from December 31, 1983 until December 31, 1985 subject to the following conditions:

1. Moore shall use laminating and coating materials which have a VOC content less than or equal to those presently used.
2. Moore shall continue to submit quarterly written reports, to the Agency until December 31, 1985 detailing all progress made in achieving compliance with 35 Ill. Adm. Code 215.204(c) and 215.205.
3. Within 30 days of the date of this Order, Moore shall apply to the Agency for all requisite operating permits pursuant to Section 201.160(a).
4. Within 45 days of the Board's Order herein Petitioner

shall execute a Certification of Acceptance and Agreement to be bound to all terms and conditions of the variance. Said certification shall be submitted to the Agency at:

Environmental Protection Agency
Division of Air Pollution Control
Control Programs Coordinator
2200 Churchill Road
Springfield, Illinois 62706

This 45 day period shall be held in abeyance during any period that this matter is being appealed. The form of the certification shall be as follows:

CERTIFICATION

Moore American Graphics, Inc. hereby accepts and agrees to be bound by all terms and conditions of the Order of the Pollution Control Board in PCB 83-241, dated June 27, 1985:

MOORE AMERICAN GRAPHICS, INC.

By _____
As Authorized Agent

Title

Date

IT IS SO ORDERED.

B. Forcade concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and Order was adopted on the 27th day of June, 1985, by a vote of 6-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board