

ILLINOIS POLLUTION CONTROL BOARD

May 18, 1984

ACME BARREL COMPANY, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 83-118  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

CONCURRING OPINION (by B. Forcade):


While generally in agreement with the majority opinion, I would establish a limitation on the total amount of volatile organics emitted from this source as a condition of the variance. Additionally, I would establish as a condition specific reduced VOC content limitations for Acme's coatings to be achieved by specific dates, i.e., steps towards ultimate compliance with existing VOC limitations on coatings.

Neither Acme nor the Agency provided the Board with such interim limits. However, since the imposition of conditions by this Board is a quasi-legislative function requiring less factual support from the record, I would impose maximum VOC content limitations of 3.88 lbs. VOC/gallon and 4.88 lbs. VOC/gallon for exterior and interior coatings respectively - to be achieved by December 31, 1984. This splits the difference between present VOC levels and the regulatory limitations midway through the variance. If these levels are not appropriate either party could inform the Board what levels should be established.

Respectfully submitted

  
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Bill Forcade

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 18<sup>th</sup> day of May, 1984.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board