



The Agency estimates that it would cost Harvester up to \$4,500,000 to come into compliance with the rules (Agency Response Ex.4, p.6). The Agency's recommendation is that Harvester be granted an extension of variance from the rules for three years or until the Board finally determines regulatory matters R76-14 and R76-19, whether or not Rule 206 is revised. The Agency suggests, however, that any extension be conditional so as to require Harvester to continue attenuating noise levels and to continue researching methods to reduce forge plant noise (Agency Response Ex.4, p.2,3).

One citizen wrote to the Board to request that the variance not be granted. The citizen claimed, that although noise levels are less than they were four years ago, it is extremely difficult for him to converse with someone more than four feet away in his back yard during the summer months. The Board recognizes this problem, even though there has been a uniform reduction of around eight decibels for steady state and for forge hammer noise levels (Agency Response Ex.4, p.7).

Harvester has pursued a compliance program in good faith and in a timely manner. Changes have been inaugurated at the plant which have resulted in much-reduced noise emissions. The Board finds that to require Harvester to expend \$4,500,000 to reach compliance with the rules would constitute an arbitrary and unreasonable hardship.

The Board grants the petition subject, however, to conditions designed to relieve to the extent possible, the impact upon the surrounding area. The Board notes that the proximity of the residence to the Westminster press located in Building 78 is the gist of the problem, and therefore orders Harvester to present to the Agency a noise control plan designed to reduce the noise from that press.

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

#### ORDER

It is the Order of the Pollution Control Board that International Harvester Company be granted an extension of its variance from Rules 202, 204, 205 and 206 of Chapter 8: Pollution Control Board Noise Regulations for a period of three years or until the final determinations of regulatory proceedings R76-14 and R76-19, whichever event shall occur first, under the following conditions:

- A) International Harvester Company shall continue to reduce the size of the ventilation openings by partially closing the large overhead doors of the west side of the plant whenever possible;

- B) International Harvester Company shall continue to research methods of reducing forge plant noise;
- C) International Harvester Company shall report monthly to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706, all noise reduction achieved by closing the forge shop doors. Harvester shall also report the results of all noise abatement research, the first report to be submitted on or before six months from the date hereof, and subsequent reports to be submitted at six-month intervals thereafter;
- D) International Harvester Company shall submit within sixty days to the Illinois Environmental Protection Agency, at the address listed in subparagraph (C) above, a plan to reduce noise emissions from the Westminster press in Building 78, such plan to include a measurement of existing noise levels and the reduction in noise levels to be achieved by such plan;
- E) International Harvester Company shall not install any new equipment which would result in noise levels in excess of Rules 202, 204, 205 or 206 of Chapter 8: Pollution Control Board Noise Regulations when measured at any receiver's property, wherever situated;
- F) Within 45 days of the date of this Order, the International Harvester Company shall execute and forward to the Illinois Environmental Protection Agency at the address listed in subparagraph (C) above, a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

CERTIFICATION

I (We), \_\_\_\_\_, having read and fully understanding the Order in PCB 79-64, hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 23<sup>RD</sup> day of August, 1979 by a vote of 5-0.

Christan L. Moffett  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board