

ILLINOIS POLLUTION CONTROL BOARD
January 19, 1978

COLLIER CARBON & CHEMICAL CORPORATION,)
)
) Petitioner,)
)
)
) v.) PCB 77-285
)
)
) ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

On November 3, 1977, Collier Carbon and Chemical Corporation (Collier), a subsidiary of Union Oil Company of California, filed a Petition before the Board seeking variance from Rule 203(b) of the Board's Air Pollution Regulations (Chapter 2). In its Petition, Collier waived its right to a hearing. The Environmental Protection Agency (Agency) filed its Recommendation on December 2, 1977. No hearing has been held in this matter.

Collier operates a facility for calcining green petroleum coke upon its premises located near the city of Lemont, Will County, Illinois. Collier seeks a variance to continue to discharge levels of particulates in excess of Rule 203(b) from its waste heat boiler installed in 1976. Collier was previously granted a variance from the Board for the period of shake down of its waste heat boiler and particulate emissions control system (PCB77-48). The factual background of this case has been detailed in our Opinion in PCB77-48. That variance expires February 1, 1978. Collier has now determined that installation of additional particulate control equipment is necessary for it to meet the 34.4 lbs./hr. particulate standard of Rule 203(b) and that such revisions cannot be completed prior to January 1, 1980. In addition to the request for variance from the particulate standard itself, Collier requests that it be allowed to use the

Power Code rather than EPA Method 5 testing procedure to demonstrate compliance and that it be allowed to deduct from its particulate emissions the portion of particulate attributable to the quench water.

The Board finds that a variance from Rule 203(b) is warranted. Collier has demonstrated good faith in its attempt to achieve compliance. The waste heat boiler, a prototype operation, conserves energy, which is in the best interests of the State of Illinois. The Board finds that denial of a variance to allow Collier to exceed the standard while installing further pollution control equipment would constitute an arbitrary and unreasonable hardship. However, the Board finds that a variance until January 1, 1980 is not warranted but that an abbreviated schedule is feasible. We will, therefore, only extend Collier's variance until July 1, 1979. During the period of the variance, Collier's particulate emissions shall not exceed 60 lbs./hr. Because the variance involves installation of new pollution control equipment, the Board will require posting of a performance bond.

The Board finds the bare allegation of the Agency that the U.S. EPA Train Method 5 is more "representative" in measuring particulate emissions is not sufficient to overcome the request by Collier that it be allowed to use a standard, time tested, ASME method which would not need correction for precipitated sulfates. Furthermore, in response to Collier's request to deduct from its emissions the portion that is attributable to the quench water, the Board finds no evidence of any significant contribution to total particulate emissions due to the quench water. The Board will, therefore, deny this request as unnecessary.

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 Collier Carbon and Chemical Corporation be granted a variance from Rule 203(b) of Chapter 2 from February 1, 1978 to and including July 1, 1979, subject to the following conditions:

1. Collier's emissions shall not exceed 60 lbs/hr. of particulate matter from the waste heat boiler during the life of the variance;

2. Commencing 28 days after the date of this Order and continuing on or before the tenth of each month thereafter, Collier shall submit written reports to the Agency detailing all progress made toward compliance during the reporting period. The reports shall be sent to:

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

3. Collier shall apply for and obtain from the Agency all necessary state construction and operating permits;

4. Collier shall adhere to a compliance schedule designed to achieve compliance with Rule 203(b) by July 1, 1979;

5. Collier shall immediately notify the Agency, at the address listed in Condition #2, when it decides on a type of control equipment;

6. Within twenty-one (21) days of the Pollution Control Board's Order herein, Collier shall post a performance bond in a form satisfactory to the Agency in the amount of \$10,000 to insure compliance with the research and control programs. Said bond shall be sent to:

Illinois Environmental Protection
Agency
Control Program Coordinator
2200 Churchill Road
Springfield, Illinois 62706

7. Within 45 days of the adoption of this Order, Collier Carbon and Chemical Corporation shall execute and forward to both the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 and the Pollution Control Board 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 of the Illinois Pollution Control Board in PCB 77-285 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED _____

TITLE _____

DATE _____

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 19th day of January, 1978 by a vote of 5-0.

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