



The No. 1 machine, which is the subject of this motion, utilizes Methyl Ethyl Ketone (MEK) as a solvent, exhausting 138 pounds per hour of this organic material into the atmosphere. Rule 205(f), to which the coating operation is subject, allows only eight pounds per hour of such organic material to be emitted. In its original Variance request, Petitioner intended to install an afterburner to control the MEK emissions from machine No. 1. However, when natural gas became unavailable to fire the afterburner, Petitioner, consistent with condition (c) of the Order, pursued "development of alternative methods of control." PCB 73-477 gave Petitioner until July 31, 1974 to develop adequate controls.

During this period, Petitioner proceeded to reformulate the adhesive material used in machine No. 1 so as to be recoverable in the new or existing solvent recovery systems. As indicated in Petitioner's motion, initial attempts at reformulation have failed. Petitioner argues, however, that such attempts (described in paragraphs 6 through 11 of the motion) "clearly represent the type of 'unforeseen contingencies and hardships' which the Agency and the Board acknowledged as justifying an extension of the Variance until December 31, 1974" (paragraph 12 of the motion). Both Exhibit "A" (pages 18-19 of the transcript of the original Variance hearing on January 7, 1974) and Exhibit "B" (PCB 73-477) appended to Petitioner's motion attempt to substantiate this claim. What is indicated in these exhibits is that both the Board and the Agency recognized the right of the Petitioner to request another Variance if "unforeseen contingencies" occurred, not that such circumstances "justified" the granting of an additional Variance.

In any event, Petitioner does seek, by the current motion, more time within which to develop a workable solvent formula so as to bring machine No. 1 into compliance with Rule 205(f).

Paul Schmierbach, of the Agency's Region 5 office, was the designated Agency investigator. He indicates that construction of the new vapor recovery system for machine No. 40 is well under way and that Petitioner's project engineer, Mr. Herman Peter, and Plant Manager, Mr. Mattheus Maier, were confident that the system would be completed by September 15, 1974 (three months ahead of schedule).

Regarding machine No. 1, Petitioner is attempting to develop an acrylic adhesive which would utilize a toluene or heptane solvent which could easily be recovered by Tuck's solvent recovery systems. Mr. Schmierbach reports that Petitioner, as yet, has failed to develop the appropriate adhesive but that Petitioner is optimistic that a conversion can be completed by December 31, 1974.

The Agency is also confident that Petitioner could develop the proper adhesive and that it is merely a matter of working out the right formulation. No insurmountable technical difficulties exist to accomplishing this task.

The Agency believes that Petitioner has demonstrated good faith efforts at compliance and that, in light of this, the Variance extension

should be granted.

In addition, it should be noted that while machine No. 40 will come into compliance under Rule 205(f)(1)(B), Petitioner intends to have machine No. 1 comply under the general Rule 205(f) eight pounds per hour standard.

No recent citizen complaints have been received with respect to Petitioner's coating operations.

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

IT IS THE ORDER of the Pollution Control Board that:

1. The Petitioner be granted a Variance from Rule 205(f) with respect to its coating machine No. 1 until December 31, 1974, subject to the following conditions:

a) Petitioner shall submit monthly, written reports to:

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

The first such report shall be submitted thirty (30) days after an order by the Pollution Control Board in this case. These reports shall indicate the progress, or lack thereof, toward the development of a suitable solvent which will bring coating machine No. 1 into compliance. They will contain sufficient information to allow the Agency to make an independent judgment as to whether Rule 205(f) compliance can be achieved.

b) Within 10 days of the date of an order by the Pollution Control Board, Petitioner shall submit a redrafted Performance Bond in the amount of \$50,000 to:

Illinois Environmental Protection Agency  
Fiscal Services  
2200 Churchill Road  
Springfield, Illinois 62706

Said bond shall be designed to insure installation of an adequate control system of coating machine No. 1 by December 31, 1974 and on coating machine No. 40 by the same date (the latter compliance to be achieved pursuant to PCB 73-477).

c) Petitioner shall apply for all necessary construction and operating permits from the Agency pursuant to Rule 103 and Rule 104 of Chapter 2, Part I of the Regulations of the Pollution Control Board.

d) 45 days prior to the December 31, 1974 deadline, Petitioner shall notify the Agency as to when it will achieve compliance through the use of a reformulated solvent and operating of its vapor recovery system. Petitioner shall submit information and data sufficient to justify such conclusion. If at this time, Petitioner does not conclude that compliance will be achieved with this approach or, in the Agency's judgment, its data submitted does not justify such conclusion, Petitioner shall immediately pursue other alternatives so as to achieve compliance by the December 31, 1974 deadline.

e) In the event that Petitioner must pursue alternative means of compliance under condition (d), Petitioner shall notify the Agency of the alternative means selected, giving a detailed description of the program to be undertaken to achieve such compliance.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on this 24<sup>th</sup> day of October, 1974 by a vote of 5-0.

Christan L. Moffett