

ILLINOIS POLLUTION CONTROL BOARD
June 13, 1974

CALUMET STEEL DIVISION, BORG- WARNER CORPORATION,)	
)	
Petitioner,)	
)	
vs.)	PCB 74-108
)	
ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 22, 1974, Calumet Steel Division, Borg-Warner Corporation, filed its Petition for Variance, seeking therein a one year variance from the provisions of Rule 205(f) of the Air Pollution Control Regulations in order to emit photochemically reactive hydrocarbons in excess of the proscribed standard.

Petitioner operates a fence post manufacturing facility in Chicago Heights, County of Cook, Illinois. Included in Petitioner's operation is a post painting operation which is the subject to its Petition for Variance.

Rule 205(f), which became effective on December 31, 1973, limits emissions of photochemically reactive hydrocarbons to 8 lbs/hr. Petitioner alleges that it has been in compliance with Rule 205(f) since December, 1972 when it began substituting exempt solvents for non-exempt solvents in its painting operations. Petitioner contends that it is now no longer possible to obtain an adequate supply of exempt solvents.

The painting operation consists of a flow-coater and a natural gas-fired bake oven. Emissions from the operation consist of organic material in gaseous form, resulting from evaporation of solvents used in the coating process. Petitioner estimates that when using non-exempt solvents its emissions of photochemically reactive solvents are 21.35 lbs/hr. The Agency estimates the emission rate at 32.96 lbs/hr.

Petitioner now plans to achieve compliance as soon as it is again possible to obtain exempt solvents. In the meantime, Petitioner will adopt the following measures:

a. Continue to use as much exempt solvent as it can obtain. Exempt and non-exempt solvents are compatible and can be mixed in the same storage tank.

b. Continue investigation of thermal incineration and the possibility of switching to water base coatings. Petitioner alleges that neither of these means of control is presently feasible.

Petitioner's facility is located in an industrial area. The Agency has received no complaints from anyone living or working in the vicinity of the plant regarding the granting of a variance, or the excessive emissions.

The Agency is in agreement with Petitioner that denial of the variance would cause a hardship.

The Agency also believes that due to the current shortage of natural gas, thermal incineration is not, at this time, a viable means by which Petitioner may achieve compliance with Rule 205(f).

Due to the current nationwide shortage of non-photochemically reactive solvents, Petitioner is not unique in its inability to obtain such solvents and its request for relief will be granted.

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

IT IS THE ORDER of the Pollution Control Board that Petitioner be granted a variance from the provisions of Rule 205(f) for a period of one year from the date of this Order, subject to the following conditions:

a. Commencing 30 days from the date of this Order, Petitioner shall submit monthly progress reports to the Agency detailing:

1. total amount of solvents used during the month;
2. nature and amount of non-exempt solvents used;
3. nature and amount of exempt solvents used;
4. nature and amount of exempt solvents purchased (indicating the supplier);
5. nature and amount of non-exempt solvents purchased (indicating the supplier);
6. nature and amount of solvents in inventory at the beginning of each month.

Said reports shall be sent to:

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

b. Petitioner shall utilize as much exempt solvent formulations as can be furnished by its suppliers.

c. Within one hundred and eighty days from the date of this Order, Petitioner shall submit a compliance plan to the Agency. This plan may:

1. Achieve compliance at the expiration of the Variance by replacement of photochemically reactive solvents with non-reactive solvents demonstrated to be readily available; or

2. Achieve compliance at the expiration of the Variance by qualification under the Alternative Standard of Rule 205(f)(1); or

3. Achieve compliance by May 30, 1975 under the provisions of Rule 2059(f)(2)(D).

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on this 13th day of June, 1974 by a vote of 4-0.

Christan L. Moffett