

ILLINOIS POLLUTION CONTROL BOARD

September 12, 1974

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| ILLINOIS NITROGEN CORPORATION, |) | |
| |) | |
| Petitioner, |) | |
| v. |) | PCB 74-169 |
| |) | |
| ENVIRONMENTAL PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| ENVIRONMENTAL PROTECTION AGENCY, |) | |
| |) | |
| Complainant, |) | |
| v. |) | PCB 73-517 |
| |) | (Consolidated) |
| ILLINOIS NITROGEN CORPORATION, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE POLLUTION CONTROL BOARD (by Mr. Henss)

Illinois Nitrogen Corporation and the Environmental Protection Agency have jointly requested that certain documents and information in this proceeding be designated "not subject to disclosure". The information was submitted to the Agency in support of a request for permit and was marked "confidential". The Agency is required to file its record in this proceeding for review, but the parties agree that parts of the record should not be subject to disclosure. The "confidential" information relates to the development of a new technology for abatement of nitrogen oxide emissions from nitric acid manufacturing plants. Illinois Nitrogen has applied for a patent and has handled the information as a trade secret.

We find that the information should be designated "not subject to disclosure" and we therefore allow the motion. The following materials are hereby designated "not subject to disclosure":

- 1) NO_x emission study performed for the ILLINOIS NITROGEN CORPORATION, Marseilles, Illinois January, 1974.
- 2) A letter from Mr. R. P. Feser, Manager to Mr. Keith J. Conklin, Manager, Permit Section, Division of Air Pollution Control, undated, containing eight pages.

- 3) A letter from Mr. R. P. Feser to Mr. Keith J. Conklin, Manager, Permit Section, Environmental Protection Agency, dated December 3, 1973, consisting of one page.
- 4) A letter from Mr. R. H. Farmer, Vice President, Illinois Nitrogen Corporation, to Mr. Keith J. Conklin, Manager, Permit Section, Environmental Protection Agency, dated September 28, 1972, containing the application for a permit of which there is a two-page letter and 53-page application.
- 5) A letter dated October 2, 1973 from Mr. R. P. Feser to Mr. Keith J. Conklin, Manager, Permit Section, consisting of one page.
- 6) A one-page document from the ILLINOIS NITROGEN CORPORATION marked "Addendum APC-189-IN-A, Reference: Item 14.a of form APC-189, Application for Operating Permit Renewal for Ammonium Nitrate Manufacture."
- 7) A one-page document marked "State of Illinois, Environmental Protection Agency, Division of Air Pollution Control, Application for Operating Permit Renewal for Ammonium Nitrate Manufacture."
- 8) Two schematic diagrams marked "Illinois Nitrogen Corp., Marseilles, Illinois Nitric Acid Flow Diagram."
- 9) A letter from R. P. Feser, Manager, to Mr. Keith J. Conklin, Manager, Permit Section, Division of Air Pollution Control, received at the Environmental Protection Agency October 18, 1972, containing a one-page letter and four supporting documents.
- 10) Two letters, one from Mr. R. P. Feser to Mr. Keith J. Conklin dated January 23, 1974 and one from Mr. H. D. Kelly to Mr. Keith J. Conklin dated January 7, 1974, and a two-page supporting document marked "Application for Operating Permit Renewal for Ammonium Nitrate Manufacture."
- 11) A document marked "Illinois Nitrogen, 1-21-74, ArRo File: 155-A," containing 15 pages.
- 12) Six pages of handwritten notes containing calculations.

It is so ordered.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on this 12th day of September, 1974 by a vote of 4-0.

Christan L. Moffett