ILLINOIS POLLUTION CONTROL BOARD
March 7, 1974

OLIN CORPORATION PETITIONER	)	
v.	)	PCB 74-4
ENVIRONMENTAL PROTECTION AGENCY RESPONDENT	)	

GEORGE E. BULLWINKEL and EDWARD L. OVERTREE, ATTORNEYS, in behalf of OLIN CORPORATION
KATHRYN S. NESBURG, ATTORNEY, in behalf of the ENVIRONMENTAL PROTECTION AGENCY

OPINION AND ORDER OF THE BOARD (by Mr. Marder)

This case comes to the Board on petition of Olin Corporation filed January 2, 1974, for variance from Rule 204 (f) (1) (A) and Rule 204 (f) (2) of the Board's Air Pollution Regulations, until April 1, 1974.

In its recommendation filed February 21, 1974, the Agency recommended the variance be granted.

No hearing was held.

Petitioner requests variance from the abovementioned regulations for one of its two plants at its Blockson Works in Joliet. One plant, the larger of the two, produces various forms of phosphates. The second plant produces hydrogen fluoride and fluosilicic gas. This plant is the subject of this case.

Hydrogen fluoride is produced by reacting fluorspar (CaF2) with sulphuric acid (H_2SO_4) at temperatures between 350°F. and 500°F. Hydrogen fluoride is then released by distillation and absorption.

Discharges in violation of the Rules come from two sources. The hydrogen fluoride "furnaces" generate sulphuric acid mist at the point where the byproduct sulphur trioxide encounters ambient water vapor. The fluosilicic system emits 160 cubic feet per minute of .44% sulphur dioxide through a stack on the roof.

The emission rates for these sources are as follows:

	Actual	Allowable
Sulphuric Acid Mist (lbs/ton acid used)	1.8	0.15 (Pet. P. 3)
Sulphur Dioxide (ppm)	4400	2000 (Pet. P. 4)

Olin proposes to control the sulphuric mist by use of a system that will cool the gypsum slurry sufficiently to reduce the amount of sulphur trioxide to a point where no sulphuric acid mist will form. The system consists of "quench boxes," one for each "furnace," where the gypsum slurry is cooled by water. Test results using a prototype have shown the control to be effective. Olin submitted a construction permit application and operating permit application for this process on October 19, 1973. The construction permit has been granted. The operating permit has been denied (Agency Rec. P. 3).

To remove the sulphur dioxide Olin has developed a system to absorb the sulphur dioxide with a "Venturi" scrubber, and pump it to a wastewater retention pond for reuse. Petitioner alleges this will lower the sulphur dioxide emitted to a rate of 5 ppm. Olin has been granted both construction and operating permits for this process.

Petitioner alleges, and the Agency concurs, that the reason for Olin's failure to comply is delay in receiving materials for construction of the abatement equipment. The Agency notes that upon investigation that part of the equipment has arrived at Petitioner's plant. The reason for the delay in compliance until April is the fact that the scrubber is not to be delivered until late January, and a period of 60 days is needed to install and debug the system.

The cost of the control system is $155,000.

There have been no complaints by residents living in the area of the plant (Agency Rec. P. 3). Olin alleges that sulphuric acid mists are heavier than air and do not cross the boundaries of its plant (Pet. P. 7). Petitioner further alleges that the sulphur dioxide output from the plant is equivalent to that created by the combustion of 3000 lbs. of Illinois coal per day, and that this will not affect the ambient air quality of the area significantly because "Olin's next-door neighbor," Commonwealth Edison, burns several million pounds of Illinois coal per day and Edison's emissions are not to be controlled until May 31, 1975.

Petitioner alleges that failure to grant the requested variance will cause an unreasonable and arbitrary hardship because to comply with the Regulations, Petitioner will be forced to stop production, causing 25 employees to be laid off for three months, and a loss of product to its customers when demand is at its peak. The Board does not accept that a denial of a variance is a shut down order, but only the denial of a shield from enforcement (48 Insulations, Inc., v. Environmental Protection Agency, PCB 73-478; E. I. du Pont de Nemours & Co. v. Environmental Protection Agency, PCB 73-533; Mobil Oil Corp. v. Environmental Protection Agency, PCB 73-562). Here, the Board finds that Olin has been conscientious in its endeavor to cure its problem, and the Board finds the sole reason for failure to comply is a failure of vendors to get needed

materials to Olin.

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

ORDER

IT IS THE ORDER of the Pollution Control Board that Olin Corporation is granted a variance from Rule 204 (f) (1) (A) and 204 (f) (2) from January 2, 1974, through April 1, 1974, subject to the following conditions:

1) Olin will submit monthly progress reports to the Environmental Protection Agency as to its compliance plan, beginning 30 days from the entry of this Order.

2) Olin shall perform and submit tests evaluating the equipment installed as to its performance in reducing emissions covered in this variance.

3) Respondent shall, within 35 days from the date of this Order, post a performance bond in a form satisfactory to the Agency in the amount of $50,000, to guarantee installation of equipment that will bring about compliance with Rule 204 (f) (1) (A) and Rule 204 (f) (2).

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 7th day of March, 1974, by a vote of 5 to 0.

Christan L. Moffett