

ILLINOIS POLLUTION CONTROL BOARD
October 11, 1973

TEXACO, INC.)
(LAWRENCEVILLE REFINERY))
v.) PCB 73-14
ENVIRONMENTAL PROTECTION AGENCY)

Mr. Edwin J. Buckley appeared for Texaco, Inc. ;
Mr. Larry Eaton, Special Assistant Attorney General, appeared
for the Environmental Protection Agency.

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

Texaco filed a Petition for Variance from Rule 205(a) of the Pollution Control Board Regulations, Chapter 2, Part II (Air Rules) on January 17, 1973. The Environmental Protection Agency filed a recommendation on April 9, 1973 to deny the variance or, in the alternative, to grant the variance subject to certain qualifications. A hearing was held on May 24, 1973.

Petitioner owns a refinery immediately adjacent to the southern boundary of Lawrenceville, Lawrence County, Illinois, where it employs 600 people in the refining of 92,000 barrels of crude oil per day. Texaco seeks a variance from the December 31, 1973 compliance date for control of hydrocarbon emissions from storage tanks, found in Air Rule 205(a), which prohibits the storage of volatile organic material in tanks larger than 40,000 gallons, unless the tank is pressurized or equipped with a floating roof.

Texaco has 41 stationary tanks larger than 40,000 gallons located at the Lawrenceville Refinery which are used to store volatile hydrocarbons. Eight of these tanks are pressurized tanks, and nine have floating roofs. In addition, three tanks will be equipped with floating roofs by the December 31, 1973 compliance date set out in Air Rule 205(a)(2). Thus, 21 stationary tanks used to store volatile organic materials will not be in compliance with Air Rule 205(a) on December 31, 1973, and Texaco will be subject to enforcement actions. It is for these 21 tanks that Texaco is seeking a variance.

These 21 tanks are currently equipped with submerged fill pipes and pressure vacuum vents to limit hydrocarbon emissions. Hydrocarbon emissions from the 21 tanks are approximately 800 pounds per hour (R. 11, May 24, 1973). Texaco alleges that the emissions are not significantly reactive (R. 11, May 24, 1973), while at the same time, its tests showed that at least the aviation gas is approximately 5% aromatic (photochemically reactive) (R. 12, May 24, 1973). Texaco states it will continue the current program to remove tanks from service and equip them with floating roofs so that it will be in compliance by July 1, 1977, at a cost of \$1,100,000.

Texaco argues that to force compliance by December 31, 1973 would result in a significant hardship because Texaco would have to close down its refinery with the resultant loss of 10% of Texaco's system-wide production. The Board finds that Texaco has established the need for a variance as to the five crude oil tanks (##579, 582, 578, 583, and 584) in that to remove more than one crude tank from service would place a restriction upon the refinery operations.

Mr. Robert E. McBride, Texaco's Chief Engineer, testified that it would be possible to accelerate the compliance schedule if Texaco had more than one field and two shop engineers (R. 467, May 24, 1973). Mr. Lester A. Wilkes, Supervisor of Operations for Texaco, testified that there is no reason why the work could not be accelerated on the aviation gas tanks except for engineering manpower limitations (R. 59, May 24, 1973). He further testified that it would be possible to take more than two motor gas tanks out of service toward the end of the summer peak demand period without extremely adversely affecting the refinery (R. 65, May 24, 1973).

The Board finds that Texaco has not met the burden of showing that it is entitled to a variance for the aviation gas, motor gas and miscellaneous tanks. It has not clearly shown that additional engineering manpower is not available. Texaco's own witness' testimony clearly shows that it would be possible to accelerate the compliance of the aviation gas, motor gas, and miscellaneous tanks provided additional engineering manpower was used.

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

ORDER

The Pollution Control Board hereby grants a variance until October 11, 1974 from Air Rule 205(a) for five crude oil tanks (Numbers: 579, 582, 578, 583 and 584). The Board denies, without prejudice, a variance from Air Rule 205(a) for the motor gas, aviation gas and miscellaneous tanks. This Order is subject to the following conditions:

1. Texaco is to submit a list of those tanks to be refitted prior to October 11, 1974 to the Agency;
2. Texaco is to submit progress reports at 60-day intervals to the Agency;
3. Texaco is to post, within 35 days of the date of this Order, in a form satisfactory to the Agency, a performance bond equal to \$100,000, which bond shall be released in the amount of \$20,000 for each crude tank that is refitted, said bond shall be sent to: Illinois Environmental Protection Agency, Fiscal Services Section, 2200 Churchill Road, Springfield, Illinois 62706.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 11th day of October, 1973 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board

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