ILLINOIS POLLUTION CONTROL BOARD May 31, 1973

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ENVIRONMENTAL	PROTECTION	AGENCY) }	

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

This is a petition for variance from Rule 203 of the Air Regulations concerning particulate emission standards and limitations. Hearing was held on April 13, 1973.

Johnson operates a film coating line at its plant in Bedford Park. The operation consists of applying a liquid coating to carrier paper and then curing it in an oven. They filed an operating permit application with the Agency on November 30, 1972. In the application, Johnson calculated the process weight rates by including the weight of the carrier paper because they believed that the definition of that rate in Rule 201 included all but liquid and gaseous fuel and combustion air.

On January 8, 1973, Johnson received a letter from the Agency stating that it should recalculate the process weight rates excluding the weight of the carrier paper. On January 17, in reply to further inquiries seeking clarification, Johnson received a letter from the Permit Division of the Agency stating again that carrier paper could not be included in the calculation of process weight rate. Excluding the carrier paper from the process weight reduces Johnson's allowable emissions from 2.31 pounds/hour to 1.45 pounds/hour. Since stack tests have shown the particulate emissions from this source to be 2.07 pounds/hour, exclusion of the carrier paper places the process in violation of Rule 203.

Rule 201 defines process weight rate as "the actual weight or engineering approximation thereof of all materials except liquid and gaseous fuels and combustion air, introduced into any process per hour". Thus, the only materials which are not to be included in the weight are liquid and gaseous fuels and combustion air. We cannot accept the Agency's interpretation so as to exclude any other materials. We interpret the Rule to exclude only what is expressly excludes. We find nothing before us to support any other definition.

Consequently, there is no need for a variance in this case since Johnson is in compliance with the regulation. We do, however, commend Johnson for its good faith and diligence in upgrading the quality of their emissions by installing additional control equipment.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

The petition for variance is dismissed.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the $3i^{57}$ day of May, 1973 by a vote of 4-3.

and S. M. A. S. A. S. A. S. Christan L. Moffett, Clerk

Illinois Pollution Control Board