## ILLINOIS POLLUTION CONTROL BOARD

January 30, 1973

ENVIRONMENTAL PROTECTION AGENCY, ) Complainant, ) vs. ) PCB 72-61 DENNY & SIMPSON, INC. )

Respondent.

Frederick Hopper, Assistant Attorney General for the EPA Joseph R. Hale, Attorney for Respondent

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

The Respondent , Denny & Simpson Stone Company, operates a limestone quarry about 1 mile north of Cave-In Rock, Hardin County, Illinois. The Environmental Protection Agency has alleged that the Company, in violation of Section 9(a) of the Environmental Protection Act, emitted rock dust or other particulate matter from the quarry in such quantities and for such duration as to cause injury to human, plant or animal life or unreasonable interference with the enjoyment of life and property. Facilities at the quarry site include a primary crusher, two secondary crushers (hammer mills), screen towers, bins and associated equipment.

During the first of two public hearings, EPA witnesses, mostly persons residing near the quarry, testified that they: were forced inside their home by dust and grit (R. 33, 65); could not hang laundry outside because of dust soiling (R. 57); had the interior of homes soiled by dust (R. 35, 57, 60, 65, 70); had to wash windows frequently because of dust (R. 60); were frightened or bothered by the blasting (R. 57, 62, 68); were bothered by blasting powder odors (R. 65, 70); and, had driving visibility impaired by rock dust (R. 77).

An Agency investigator testified that his first visit to the site in 1970 revealed an essentially uncontrolled operation in that emissions from equipment were released to the atmosphere without passing through any control devices (R. 10). He also testified that he had observed emissions from roadways throughout the plant. The investigator further testified that visits late in 1972 revealed that the secondary crushers, screening towers and bins had been enclosed, a spray wetting system had been installed on the primary crusher and surge pile, and a watering truck was being employed to control roadway dust throughout the plant (R. 12, 13). Since his first visit, the investigator testified that the owners had been generally cooperative and had implemented most of his control suggestions resulting in greatly improved control of emissions (R. 12). The investigator recommended that the Company continue to dampen the roadway and also wet down the face of the rock prior to blasting. He further said that the area around the truck dump should be wetted, additional spray nozzles placed around the primary crusher and antifreeze added to the spray solution when appropriate (R. 16).

During the second hearing, Respondent witnesses, mostly employees or persons indirectly connected with the quarry (such as rock haulers) who resided nearby, testified that they: were not irritated or frightened by the blasting (R. 127, 139, 145, 153); were not bothered by dust from the quarry (R. 128, 134, 140, 144, 153, 159); were not prevented from hanging clothes outside because of dust soiling (R. 128, 140); and, did not notice any blowing dust (R. 135, 146, 150, 154).

Testimony from the plant superintendent, a consulting engineer and a blasting powder salesman indicates that Respondent is careful in limiting the size of the blast in order to control sound and vibrations within limits recommended by the Bureau of Mines. The idea of using a blasting mat to control blasting dust was soundly rejected by experts and company officials from safety and practical viewpoints. It was stated that the mats, heavy cables woven together, might interfere with the wires leading to the explosive charge and in any event were not effective to control dust.

Even prior to the filing of the Complaint the Respondent had been very cooperative in following Agency directions to control dust emissions. The Company entered voluntarily into a program resulting in: 1) enclosures on the secondary crushers, screening tower and bins, 2) installation of a spray system consisting of a 1500 gallon tank, wetting chemicals, piping and spray nozzles for wetting the limestone at the outlets of the primary crusher and on the conveying belts carrying limestone back to the secondary crusher, 3) an 8,000 gallon water truck for wetting the surface area around the plant, 4) the oiling and chipping of the plant area adjacent to the highway, and 5) an experimental program to reduce dust from the drillholes during blasting.

The only remaining controls that appear to be called for are: installation of additional spray nozzles to cover the surge bin located on top of the primary crusher, addition of antifreeze chemicals to the spray system during freezing weather, and possible wetting of the rock face before blasting.

We find from the evidence that Respondent's employees occasionally failed to follow directions in wetting the road twice a day and that on those occasions the Company did cause excessive emissions of rock dust in violation of Section 9(a) of the Environmental Protection Act. The Complainant has not suggested what more

## ORDER

It is ordered that:

- 1. Respondent Denny & Simpson Stone Co., Inc. cease and desist from the violations found in this Opinion.
- 2. That Respondent within 35 days install additional spray nozzles to cover the surge bin located on top of the primary crusher and immediately include as a part of the blasting procedure wetting of the rock face prior to blasting and addition of antifreeze chemicals to the spray system during freezing weather.
- 3. Respondent shall make every reasonable effort to conduct its blasting operations under such wind and atmospheric conditions as will minimize the nuisance in the surrounding areas.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this  $30^{+n}$  day of 4num, 1973 by a vote of 3 to 0.

Chietan Moffett