

ILLINOIS POLLUTION CONTROL BOARD
February 3, 1972

MATTISON MACHINE WORKS)
)
 v.)
)
ENVIRONMENTAL PROTECTION AGENCY)

PCB 71-277

ENVIRONMENTAL PROTECTION AGENCY)
)
 v.)
)
MATTISON MACHINE WORKS)

PCB 71-330

Mr. Mark E. MacDonald for Mattison Machine Works
Mr. Melvyn A. Rieff, Assistant Attorney General for the Environmental
Protection Agency

Opinion of the Board (by Mr. Currie):

Mattison petitioned for a variance, the Agency filed a counter-complaint, and the parties have submitted a stipulation and proposed settlement that we hereby approve.

The stipulation recites that Mattison operates a gray and ductile iron cupola in Rockford. An Air Contaminant Emission Reduction Program providing for installation of a wet cap was approved by the Air Pollution Control Board, but it later developed that that device would not be adequate to assure compliance. Further negotiations followed. The company now is committed to the installation of equipment including an after-burner (already installed) and a baghouse to assure compliance with the particulate regulations by August 31, 1972 at the latest. The parties agree to the payment of a penalty of \$3500 for past violations. This settlement is in accord with our prior decisions in cases of this type, and we hereby approve it. There is no showing of such an extreme nuisance as to justify the drastic remedy of closing the plant during the rather short time remaining before completion of the control program.

ORDER

1. Mattison shall pay the sum of \$3,500.00 to the EPA in full and complete settlement, release and payment of all violations of Illinois State air pollution statutes and regulations during the period from January 1, 1967 to December 31, 1971, which were alleged or might have been alleged in the enforcement action filed by the EPA.

2. Mattison is granted a variance with respect to applicable emission standards for the operation of its cupola until August 31, 1972, or sixty days after final delivery from Combustion Equipment Associates ("CEA") to Mattison of all equipment to the site necessary for installation of Mattison's cupola emission control system as described in the stipulated facts attached hereto, whichever first occurs. Within thirty days after such installation date Mattison shall cause its cupola emissions to be tested by an independent testing company for submission to the EPA to determine compliance with State emission standards.
3. Mattison shall file with the EPA a performance bond or such other security as the EPA may deem appropriate in the sum of \$160,000.00 to guarantee installation and performance of its cupola emission control system in compliance with the provisions of Paragraph 2 of this Agreed Order.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 3 day of February, 1972 by vote of 5-0.

Christan L. Moffett