

ILLINOIS POLLUTION CONTROL BOARD  
November 15, 1989

ROWE FOUNDRY & MACHINE	)	
COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 89-122
	)	(Variance)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

DANIEL O'CONNELL APPEARED ON BEHALF OF THE PETITIONER.

JAMES O'DONNELL APPEARED ON BEHALF OF THE RESPONDENT.

OPINION AND ORDER OF THE BOARD (by J. Marlin)

This matter comes before the Board on an August 1, 1989 Petition for Variance Extension filed by Rowe Foundry & Machine Company (Rowe). Rowe requests an extension of the variance granted in PCB 81-49 and extended in PCB 88-21. Rowe requests an extension of a variance from 35 Ill. Adm. Code 216.381 which prohibits the emissions of carbon monoxide from a cupola if the concentration of carbon monoxide in the gasses emitted from the cupola exceeds 200 ppm corrected to 50% excess air.

A hearing was held at Clark County Courthouse, Marshall, Illinois, on September 27, 1989. No members of the public participated in the proceedings. The Illinois Environmental Protection Agency (Agency) filed its Recommendation on September 28, 1989.

Background

The facts of this case remain substantially unchanged from those outlined in the Board Order PCB 88-21 of February 23, 1989. Therefore, only a brief outline of the facts are included herein.

Rowe operates a gray-iron foundry for the production of counterweights. The facility is located in Martinsville, Clark County, which is considered an attainment area for carbon monoxide.

The subject of this variance extension is a Whiting No. 9 Cupola. The cupola is charged with approximately 3,300 pounds of foundry coke, 1400 pounds of limestone and 28,000 pounds of scrap iron per hour. A scrubber controls particulate emissions. Carbon monoxide emissions remain uncontrolled.

### History

Rowe was granted a five year variance on February 10, 1983, (PCB 81-49). On February 23, 1989, Rowe was granted a variance extension until August 1, 1989, (PCB 88-21). Rowe now requests extension of variance until February 1, 1990.

### Hardship

Rowe states in its petition that it can neither immediately comply with Section 216.381 nor fulfill the original compliance plan because of schedule disruptions that were not foreseeable when it submitted its original compliance plan. (Pet. 19-15).

Rowe states that unforeseen problems with the supplier of the charging system and electrical demand restrictions placed on the starter for the blower motor by Central Illinois Public Service Company have caused unavoidable delays in construction of the new cupola and scrubber system. (Pet. at 15). Rowe states that shutting down operations is the only means to achieve immediate compliance. (Pet. at 16).

The Agency in its recommendation states that Rowe had made satisfactory progress during the variance extension granted in PCB 88-21. (Ag. Rec. at 4). Also the Agency states that Rowe has expended approximately \$380,000 toward installation of the new equipment. (Ag. Rec. at 4).

Therefore the Board finds that Rowe has presented adequate proof that immediate compliance would constitute an arbitrary or unreasonable hardship.

The Board hereby grants Rowe's requested variance extension from 35 Ill. Adm. Code 216.831 until February 1, 1990. However, the Board grants the variance subject to certain conditions, set forth in the Order below.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

### ORDER

The Board grants extension of variance to Rowe Foundry Machine Company from 35 Ill. Adm. Code 216.381 until February 1, 1990, subject to the following conditions:

1. Rowe will continue to pursue the construction and installation of a new cupola with a carbon monoxide control system and shall achieve compliance by February 1, 1990.
2. Rowe shall submit quarterly reports to the Agency on the operation of the cupola.

3. Rowe shall implement and maintain the housekeeping and maintenance plan set forth below:
  - A. The size of the scrap iron pieces entering the cupola shall be small enough so as to prevent clogging of the cupola, thus necessitating the momentary shutdown of the pollution control equipment. At no time shall Rowe attempt to melt pieces of iron longer than 30 inches.
  - B. All of the necessary replacement parts, including fan blades and bearing sets, for the pollution control equipment shall be on hand.
  - C. Ensure that all pollution control equipment and associated ductwork on the existing cupola are maintained such that emissions from the source continue to be emitted solely from the top of Rowe's existing stack.
  - D. Implement a detailed housekeeping program designed to keep the facility's roofs, interior working areas and adjacent outside areas clean of particulate matter and those areas of the plant free of foundry sand where the use of the sand is not required for the molding in cooling of metal. The housekeeping program shall consist of sweeping all hard outside surface areas at least weekly. Foundry sand shall be regularly swept up on the inside of the foundry buildings and scooped off the production floors. Accumulations of particulate matter shall be removed from the roof at least monthly.

Rowe shall inform all plant personnel of the housekeeping and maintenance plan and that plan must be complied with at all times.
4. Rowe shall be limited to operation of the cupola twice weekly.
5. Rowe shall be limited to a production of 12.79 tons of iron poured per hour.
6. Rowe shall dismantle and remove the current cupola upon completion of construction of the proposed system.
7. Rowe shall verify with documentation to the Agency's Division of Water Pollution Control that the existing wastewater treatment facility is adequate to handle the discharge from the proposed cupola and scrubber system.

- 8. Rowe shall not violate the National Ambient Air Quality Standards for carbon monoxide.
- 9. Rowe shall submit any necessary permit applications to continue to operate its current cupola no later than 45 days after grant of the variance extension.
- 10. Within 45 days after the date of this Order, Rowe Foundry & Machine Company shall execute and send to the Agency a Certificate of Acceptance of this variance by which it agrees to be bound by the terms and conditions contained herein. The executed Certificate shall be sent to:

Illinois Environmental Protection Agency  
 Attention: James O'Donnell  
 Enforcement Programs  
 P.O. Box 19276  
 2200 Churchill Road  
 Springfield, IL 62794-9276

The 45-day period shall be held in abeyance for any period during which this matter is appealed. Failure to execute and forward the Certificate within 45 days renders this Variance void and of no force and effect. The form of the certification shall be as follows:

CERTIFICATION

I, (We) \_\_\_\_\_, having read the Order of the Illinois Pollution Control Board in PCB 89-122, dated November 15, 1989, understand and accept the Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

\_\_\_\_\_  
 Petitioner

\_\_\_\_\_  
 Authorized Agent

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date

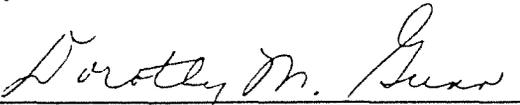
- 11. Quarterly reports shall be sent to:

Mr. John Justice, Regional Manager  
 Division of Air Pollution Control  
 Illinois Environmental Protection Agency  
 2009 Mall Street  
 Collinsville, IL 62234

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987 ch. 111  $\frac{1}{2}$  par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 15<sup>th</sup> day of November, 1989, by a vote of 7-0.

  
\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board