

ILLINOIS POLLUTION CONTROL BOARD  
July 6, 1978

RICHLAND FOUNDRY COMPANY, )  
 )  
 ) Petitioner, )  
 )  
 )  
 ) v. ) PCB 78-51  
 )  
 )  
 ) ILLINOIS ENVIRONMENTAL )  
 ) PROTECTION AGENCY, )  
 )  
 ) Respondent. )

PRESTON K. JOHNSON, JR., JOHNSON & JOHNSON, APPEARED ON BEHALF OF THE PETITIONER;  
PATRICK J. CHESLEY, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF RESPONDENT.

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

On February 21, 1978, Richland Foundry Company (Richland) filed a variance petition before the Board requesting variance from Rule 103(b)(2), Rule 202(b), and Rule 203(b) of the Illinois Air Pollution Control Regulations (Regulations) for its cupola iron melting furnace located in Belleville, Illinois. Hearing was held in this matter on June 9, 1978. No citizens appeared at the hearing, and the Board has received no public comment in this matter.

Richland owns and operates a gray iron casting foundry utilizing a 36 inch shell cupola with particulate emissions control. The foundry processes approximately 4 to 5 tons of metal per day, operating the cupola approximately 1-1/2 hours. Richland was originally granted an operating permit for the cupola by the Illinois Environmental Protection Agency (Agency) which expired on March 16, 1978. Tests show that the cupola is presently in violation of the regulations, and evidence presented at the hearing indicated that part of the particulate emission control equipment was not functioning. A Stipulation of Fact was presented at the hearing which indicates that the foundry will cease operation as of December 31, 1978, as its lease terminates on that date and Richland does not intend to renew. Emissions from this source will therefore cease as of December 31, 1978.

At the present time, one of the spray nozzle units used for particulate emission control is not operational. It is the opinion of the Agency that if this spray unit were to be put into operation, particulate emission violations would be minimal and that the harm to the environment would be de minimis. In the Stipulation of Fact Richland indicates that the spray unit could be operational by July 24, 1978.

The Agency estimates that the spray chamber could be repaired at a cost of approximately \$500, but since stack testing would be required to prove compliance, an additional \$3,000 would need to be expended in order to prove compliance and receive an operating permit. An investigative report by the Agency indicates that the density of the population in the area is light, the nearest residence being approximately 300 feet from the cupola, and that local residents interviewed by the Agency have no objection to the granting of this variance.

Although the cost of final compliance, \$3000 for a stack test, does not appear to be exorbitant, the Board finds that the very minimal benefits that might be obtained do not warrant even so small an expenditure. This is particularly true since there appears to be no environmental problem in the area of the foundry and since the foundry will cease operations as of the end of 1978. The Board will therefore grant the variance requested under certain conditions.

This Opinion constitutes the finding of facts and conclusions of law of the Board in this Matter.

#### ORDER

It is the Order of the Pollution Control Board that Richland Foundry Company be granted variance from Rules 103(b)(2), 202(b), and 203(b) of the Illinois Air Pollution Control Regulations until December 31, 1978 under the following conditions:

1. Richland shall put the third spray unit of the particulate emission control equipment on the cupola into operation on or before July 24, 1978, and shall operate the cupola only during periods when the particulate pollution equipment is totally operational.

2. Within 60 days of the date of this Order Richland shall apply to the Illinois Environmental Protection Agency for an operating permit for this facility.
3. Richland Foundry Company shall cease and desist any further violation of the Board's regulations at this facility as of January 1, 1979.
4. Within 45 days of the adoption of this Order, the Richland Foundry Company shall execute and forward to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

CERTIFICATION

I (We), \_\_\_\_\_ having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 78-51 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 6<sup>th</sup> day of July, 1978 by a vote of 4-0.

Christan L. Moffett  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board