

ILLINOIS POLLUTION CONTROL BOARD
March 28, 1977

PEOPLE OF THE STATE OF ILLINOIS)
and ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainants,)
)
)
v.) PCB 75-125
)
)
MORTON-NORWICH PRODUCTS, INC.,)
a Delaware corporation,)
)
Respondent.)

MR. JAMES K. JENKS II and MR. DENNIS FIELDS, ASSISTANT ATTORNEYS
GENERAL, APPEARED ON BEHALF OF THE COMPLAINANTS;
MR. HOLLAND C. COPPER, MR. PAUL D. FRENZ, and MR. ELIAS N. MATSAKIS,
McBRIDE, BAKER, WIENKE & SCHLOSSER, APPEARED ON BEHALF OF RESPONDENT.

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

This case was filed on March 21, 1975 by the Attorney General of the State of Illinois (Attorney General) against Morton-Norwich Products, Inc. (Morton) alleging that certain gaseous emissions from Morton's operation at its Ringwood facility caused a violation of Section 9(a) of the Environmental Protection Act (Act). On July 2, 1975 the Illinois Environmental Protection Agency (Agency) filed a Petition to Intervene as a Complainant in this action, which Petition was granted by the Hearing Officer herein. Hearings were held in this matter starting June 30, 1975 and ending January 24, 1977 after some ten days of hearing and 1424 pages of testimony. The January 24, 1977 hearing resulted in a proposed Stipulation and Proposal for Settlement in this matter.

Morton, through its Morton Chemical Company Division, owns and operates a facility located on Barnard Mill Road, Ringwood, McHenry County, Illinois. The Ringwood facility is a multi-chemical operation including the manufacture and production of organic and inorganic

chemicals, pharmaceutical chemicals, photographic chemicals, agricultural chemicals and industrial chemicals. The facility has equipment to unload and transfer chemicals to storage tanks from both trucks and rail cars. This transfer operation is alleged to result in odorous emissions.

Morton's manufacturing operations consist of, among others, a facility that produces a soil fumigant whose trade name is Vorlex, and a latex facility which produces material used in the manufacture of floor polishes and barrier coatings. These two facilities together with the unloading and storage facilities are alleged to be the source of the odor violations set forth in the Complaint. Existing emission control equipment in the facility include carbon adsorption on the latex reactor emission stream and a condenser, iron oxide adsorber, carbon adsorber and after-burner incinerator on the emission stream from the Vorlex reactor.

Review of the lengthy record herein shows the probability of intermittent emission of chemical vapors resulting in reactions in citizens ranging from no reaction whatever to acute physical discomfort. The record also indicates a heavy dependence by Morton on employees for maintenance of the existing pollution equipment with little or no supervision with respect to that function.

The Stipulation and Proposal for Settlement (Stipulation) filed February 4, 1977 reviews Morton's facility and manufacturing processes and the progress of the case up to the submission of the Stipulation. For the purposes of settlement only, Morton admits that it caused air pollution in violation of Section 9(a) of the Act on May 20, 1974, October 3, 1974 and October 8, 1974. It is stipulated that Morton has completed the installation of an activated carbon adsorption system upstream of the after-burner at its Vorlex plant and Morton agrees that its after-burner will be operated at a temperature no less than 1200[Fahrenheit. In addition Morton has installed new condensers between the reactors and the incinerator in the Vorlex plant. Morton agrees that the carbon adsorber on the roof of the Vorlex plant will be examined every operating day by one of its employees and that the carbon filters will be changed at any time an odor is detected but in no event later than every 24 operating days. A record will be kept containing the time and dates of the inspection, the name of the inspector, and any changes made in the carbon filter. In addition, the ambient room air in the Vorlex facility shall be maintained at a negative pressure at all times during production operations and will be discharged through the carbon adsorber on the roof of the facility.

A very significant paragraph of the Stipulation indicates that Morton has employed nine (9) additional supervisors at the plant, three (3) of which are assigned to the Vorlex department. Morton indicates that the new supervisors are specifically charged with the duty of training employees with respect to fire emergency procedures and the shutdown of process in the event of a pollution control equipment malfunction. In addition they are to train operators in the basic operation of the environmental control equipment and to check the environmental control equipment before starting an operation. Supervisors are also charged with the responsibility of the operation of the pollution control equipment. Morton additionally agrees that should any equipment malfunction result in a significant odor release, it will shutdown the process responsible until the equipment malfunction is remedied.

With respect to the unloading and transportation equipment, Morton agrees to utilize a closed loop vapor return unloading system and to refuse acceptance of any tank truck not so equipped. When unloading a railroad tank car, Morton will utilize the vapor return systems if the car is so equipped. If the car is not so equipped, Morton will utilize a batch carbon adsorption unit through which the vent vapors will pass before discharging to the atmosphere. It is noted that about 50% of the tank cars received by Morton are equipped with closed system unloading and that Morton receives about two cars per week (R.521). The Stipulation further cites changes to be made by Morton on storage tanks including conservation vents, insulation and additional unloading pumps and other equipment for specific chemicals. Morton will post signs in all unloading areas to remind employees with respect to environmentally sound procedures to be used in unloading.

Morton will make a feasibility study concerning replacement of the adsorption system in its latex plant with the object of installation of a central carbon adsorption system. Morton has the alternative of presenting an alternate system but will be bound by the Agency's decision unless the feasibility study indicates a probable contamination of the final project. In that case Morton may petition the Board for variance from that paragraph of the Stipulation.

Morton will obtain permits for all construction and will furnish the Agency and the Attorney General with monthly progress reports. Morton will discontinue use of the settling pond on the southwest corner of the property and will cover the pond with clay within 9 months from the date of this Order. Morton will log and investigate all complaints received, will exercise good housekeeping in preventive maintenance to minimize leaks of chemicals, and will instruct all

tank farm operators with respect to unloading procedures. In settlement of this action Morton agrees to remit to the State of Illinois the sum of \$3,000.00 to be paid within one month from the date of this Order.

The total cost to Morton of the equipment envisioned by this Stipulation is in excess of \$200,000.00. The proposed housekeeping procedures and the addition of nine supervisors at the installation convinces the Board that acceptance of the Stipulation will result in the protection of the environment and the citizens of the State of Illinois. The Board will therefore accept the proposed Stipulation and Proposal for Settlement filed February 4, 1977, which Stipulation is hereby incorporated by reference as if fully set forth herein.

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

ORDER

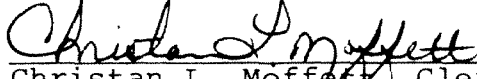
It is the Order of the Pollution Control Board that:

1. Morton-Norwich Products, Inc. is found to have been in violation of Section 9(a) of the Illinois Environmental Protection Act on May 20, 1974, October 3, 1974 and October 8, 1974.
2. Morton-Norwich Products, Inc. shall pay a penalty of \$3,000.00 for said violation, the penalty to be paid within 30 days of the date of this Order to:

State of Illinois
Environmental Protection Agency
Fiscal Services Section
2200 Churchill Road
Springfield, Illinois 62706

3. Morton-Norwich Products, Inc. shall comply with the Stipulation and Proposal for Settlement filed with the Board February 4, 1977, which Stipulation is hereby incorporated by reference in this Order as if fully set forth herein.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 28th day of March, 1977 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board