

ILLINOIS POLLUTION CONTROL BOARD  
June 12, 1980

AMOCO CHEMICALS CORPORATION, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-18  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

RONALD J. GANIM, STANDARD OIL CO. (INDIANA), APPEARED ON BEHALF OF THE PETITIONER.

PETER E. ORLINSKY APPEARED ON BEHALF OF RESPONDENT.

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

Amoco Chemical Corporation (Amoco) filed this Petition for Variance before the Board on January 22, 1980 for relief from certain of the Board's Air Pollution Control Rules and Regulations (Air Regulations). On February 21, 1980, the Illinois Environmental Protection Agency (Agency) recommended granting this Petition for Variance, under certain conditions, from Rules 105(a) and 203(e) of the Board's Air Regulations until May 15, 1980. Hearing was held on April 18, 1980, at which no members of the public were present.

The variance was sought because Petitioner's electrostatic precipitator (ESP), attached to a water quenching tower on the incinerator, malfunctioned on December 20, 1979 and caused such structural damage to the ESP that the ESP requires replacement.

The arbitrary and unreasonable hardship alleged is the requirement of compliance in the face of the destruction of Petitioner's control equipment as a result of a malfunction. The destruction of the ESP was an event both unforeseeable and beyond Petitioner's control. Furthermore, Petitioner initiated measures immediately to order and to have installed a replacement ESP, at a cost of \$400,000, so as to achieve compliance by May 15, 1980. Such action is to be commended. The alternative measures of compliance which were investigated, directing the residue to a wastewater treatment unit and drumming the residue, were rejected for reasonable technological and/or economic reasons.

Petitioner's Joliet facility produces trimellitic anhydride (TMA), which is used to manufacture latex paints, electrocoating resins, agricultural chemicals, plasticizers, wire insulation, polyesters, pharmaceutical products, and other materials. The

incinerator is used to destroy approximately 1,900 lbs./hr. of liquid organic waste material generated from the TMA manufacturing process.

Petitioner has taken interim measures to minimize the impact of its noncompliance in this TSP nonattainment area of increasing the rate of water flow to the water quenching tower and of reducing the firing rate of the waste materials. With such measures, the particulates emission rate is 1.45 gr./SCF of effluent gases. Before the malfunction, the rate was 0.04 gr./SCF.

Variance will be granted through June 1, 1980 from Rule 105(a) regarding continued operation during malfunctions and from Rule 203(e)(3) specifying an emission limitation of 0.20 gr./SCF of emissions. The Agency has stated in its Recommendation that modeling results indicate that no health hazard will result from grant of the variance and that Petitioner's temporary contribution to increased particulates levels will not be a significant one.

Petitioner's air quality modeling report indicates that the maximum annual geometric mean concentration increase in total suspended particulate (TSP) is  $4.4 \text{ ug/m}^3$ . The assumed background for the Joliet facility, based on data from the Will County Health Department's monitorings at Joliet Junior College, is  $43 \text{ ug/m}^3$  total annual geometric mean concentration. The increase in TSP of  $4.4 \text{ ug/m}^3$  due to operation of the facility without an ESP would raise the TSP concentration to  $47.4 \text{ ug/m}^3$  annual geometric mean concentrations, which is well below the annual primary standard of  $75 \text{ ug/m}^3$  and the annual secondary standard of  $60 \text{ ug/m}^3$ .

Variances from the Board's Air Regulations may be granted only if they are consistent with the Clean Air Act, 42 U.S.C. §7401, et seq. The Agency intends to submit any variance granted herein to the U. S. Environmental Protection Agency as a revision to the State Implementation Plan (SIP) pursuant to 42 U.S.C. §7410(a)(3). Such submittal will cause this variance to be consistent with the Clean Air Act upon approval by the U. S. Environmental Protection Agency as a revision to the SIP. Petitioner, however, may become subject to noncompliance penalties under 42 U.S.C. §7420 if the terms and conditions of this variance are not met.

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

#### ORDER

It is the Order of the Illinois Pollution Control Board that Amoco Chemicals Corporation be granted a variance from Rules 105(a) and 203(e) of the Board's Air Pollution Control

Rules and Regulations through June 1, 1980 under the following conditions:

1. Monthly, beginning July 1, 1980 and ending on the next month after compliance is achieved, Amoco Chemicals Corporation shall submit written reports to the Illinois Environmental Protection Agency, Division of Air Pollution Control, Control Program Coordinator, 2200 Churchill Road, Springfield, Illinois 62706, detailing the progress made in achieving compliance with Rule 203(e)(3) of the Board's Air Pollution Control Rules and Regulations (Chapter 2).

2. Amoco Chemicals Corporation shall continue in effect the interim measures of increasing the rate of water flow to the quenching tower and reducing the firing rate of the waste material until the replacement ESP is installed and is operating. Amoco Chemicals Corporation shall install and have operating an ESP on or before June 1, 1980.

3. Amoco Chemicals Corporation shall conduct a stack test on or before June 1, 1980 and shall notify the Illinois Environmental Protection Agency at the address above in writing at least 7 days prior to testing to allow Agency representatives to witness the test. Amoco Chemicals Corporation shall submit all results of such test to the Agency on or before June 13, 1980.

4. Amoco Chemicals Corporation shall execute a Certification of acceptance of the terms and conditions of this variance within 45 days hereof and shall send copy of the executed Certification to the Illinois Environmental Protection Agency at the address above and to Clerk of the Board at 309 West Washington Street, Suite 300, Chicago, Illinois 60606. This condition will be inapplicable in the event of an appeal of the instant Order. The form of said Certification shall be as follows:

CERTIFICATION

I (We), \_\_\_\_\_, having read and fully understanding the Order in PCB 80-18 hereby accept that order and agree to be bound by its terms and conditions.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

I, Christan L. Moffett, Clerk of the Illinois Pollution

Control Board, hereby certify that the above Opinion and Order was adopted on the 12<sup>th</sup> day of June, 1980 by a vote of 5-0.

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