

ILLINOIS POLLUTION CONTROL BOARD
February 15, 1979

KELSEY-HAYES COMPANY, GUNITE DIVISION,)
)
 Petitioner,)
)
 v.) PCB 78-115
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

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

On April 24, 1978 Kelsey-Hayes Company, Gunite Division (Kelsey-Hayes) requested variance from the Board's Air Pollution Control Regulation for its foundry facility in Rockford, Illinois. No hearing was held in this matter, and the Board has received no public comment.

Kelsey-Hayes owns and operates a foundry located in Rockford, Illinois which manufactures automotive specialties. Their products utilize grey iron produced in four grey iron cupolas and low carbon steel produced in four electric arc furnaces. The metals thus produced are poured into molds, and the resulting castings are machined and tested before marketing. The plant employs, approximately 850 people with a total payroll in excess of \$18,000,000 per year.

The subject of this variance petition is the electric arc melting operation used to produce the steel for the casting operation. Steel is produced in four top charged arc furnaces all having nine foot diameter shells and a nominal capacity of six tons per hour. A typical charge for the furnaces consists of approximately 50% returns and 50% purchased scrap including 5% turnings and 20% bundles. The furnaces maintain a typical charge-meltdown-refining-tapping cycle consuming approximately 60 minutes.

Notwithstanding the fact that Kelsey-Hayes has Agency-issued operating permits for the electric arc furnaces, there have been several violations, particularly with respect to particulate emissions that were not being adequately captured by the baghouse. Upon investigation, Kelsey-Hayes has agreed to implement certain improvements which they estimate will cost approximately \$230,000.00 and will be completed by June 30, 1979. These improvements include increased maintenance and house-keeping of the equipment, utilization of some additional equipment, elimination of the use of oily turnings in the charge, plugging the taphole during the melt cycle, and the installation of a new baghouse and canopy collection system over each furnace for control during the charging and tapping cycles. The Agency is of the opinion that the Kelsey-Hayes project completion schedule is reasonable and that upon completion it will result in compliance with the Board's rules and achieve an emission reduction of approximately 300 tons of particulate matter per year.

The melting facility is located in a commercial and industrial area with a few residential areas closely adjacent. The two closest monitoring sites to the Keysey-Hayes plant recorded annual geometric means for total suspended particulates of 44 micrograms per cubic meter and 55 micrograms per cubic meter in 1977. Both of these figures fall below the National Ambient Air Quality Secondary Standard.

The Board finds that Kelsey-Hayes has acted in good faith and was unaware of the particulate emissions from the electric arc furnaces until being notified by the Agency. Considering the acceptable program presented by the company for alleviation of the problem and the lack of ambient air quality problems in the area, the Board finds that it would be an arbitrary and unreasonable hardship to deny the variance sought herein.

The Board finds that Kelsey-Hayes is presently unable to comply with the Regulations. We will order the company to comply with certain conditions including execution of the schedule of compliance contained on pages 2-7 of its November 21, 1978 amendment to its Petition for Variance.

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

ORDER

It is the Order of the Pollution Control Board that:

- 1) Kelsey-Hayes Company, Gunitite Division be granted variance from Rules 202 and 203 of Chapter 2 of the Board's Air Pollution Control Regulations for its electric arc furnace facility in Rockford, Illinois until June 30, 1979 subject to the following conditions:
 - a) Kelsey-Hayes Company shall execute the compliance program as proposed in Section 2 of the amendment to its petition for variance filed with the Board November 21, 1978, which amendment is incorporated by reference as if fully set forth herein;
 - b) Kelsey-Hayes shall submit its progress reports to the Agency every two months starting within 35 days of the date of this Order. Reports shall be submitted to the Agency at:

Environmental Protection Agency
Division of Air Pollution Control
Control Program Coordinator
2200 Churchill Road
Springfield, Illinois 62706
 - c) Kelsey-Hayes shall apply to the Agency for all necessary operating permits within 35 days of the date of this Order;
 - d) Kelsey-Hayes shall execute a performance bond as required by the Environmental Protection Act in the amount of \$2000.00.

The Bond shall be submitted to the Agency at the address noted in subparagraph (b) above;

- e) Within 45 days of the adoption of this Order, the Kelsey-Hayes Company shall execute and forward to the Environmental Protection Agency at the address noted in subparagraph (b) above 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 78-115, hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED _____

TITLE _____

DATE _____

- 2) Kelsey-Hayes is hereby notified that it may be liable for non-compliance penalties under Section 120 of the Clean Air Act should it fail to achieve compliance with the Regulations by June 30, 1979.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 15th day of February, 1979 by a vote of 3-0.

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