

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1989

MINNESOTA MINING AND)
MANUFACTURING COMPANY,)
)
Petitioner,)
)
v.) PCB 89-51
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

LEE CUNNINGHAM, ESQ., OF GARDNER, CARTON AND DOUGLAS, APPEARED ON BEHALF OF THE PETITIONER.

SUSAN SCHROEDER, ESQ., APPEARED ON BEHALF OF THE RESPONDENT.

OPINION AND ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board on a March 14, 1989 Petition for Variance Extension filed on behalf of the petitioner, Minnesota Mining and Manufacturing Company (3M). 3M seeks an extension of the variance from 35 Ill. Adm. Code 215.204(c) and 215.207, which relate to volatile organic material (VOM) emissions, granted by the Board in the Opinion and Order for PCB 88-14. The original variance, as amended by a Board order on May 11, 1989, expired on April 1, 1989. In this filing, the petitioner requests that the variance be extended until July 1, 1989 to allow 3M time to perform compliance testing of repaired equipment.

The Illinois Environmental Protection Agency (Agency) filed a variance recommendation on April 19, 1989 in support of the grant of the extension. At the request of the petitioner, a public hearing was held on May 12, 1989 in Chicago, Illinois. One person testified for the petitioner and no members of the public were present. The parties agreed that no post-hearing briefs would be filed. Based on the record, the Board finds that denial of the extension would impose an arbitrary or unreasonable hardship on the petitioner. Therefore, the Board will grant the extension until August 1, 1989.

The February 2, 1989 Opinion and Order for PCB 88-14 sets forth all the necessary information concerning this matter except for events which have occurred subsequent to the order. Since the end of 1988, thermal oxidizers have been fully operational on

3M coating lines 2G, 3G and 4G. However, emission testing on the lines was delayed because of cracks in the primary heat exchanger of the 2G oxidizer and because the temperature in the 3G oxidizer was fluctuating during the hot side by-pass phase. During the week of January 9, 1989 the thermal oxidizers were inspected. The following additional problems were identified:

- a. Stack failures on all oxidizers due to excessive stack temperatures
- b. Seat exchanger cracks in all oxidizers caused by mechanical stress from heating and cooling
- c. Burner plate failures in all oxidizers resulting from the failure of welds on the burner assembly
- d. Cracked insulation blocks in all oxidizers
- e. Loss of temperature control in the bypass phase of the 3G oxidizer.

3M indicates that it can meet the following schedule for repairing the three oxidizers:

- a. Procurement of materials: February 27 to March 3, 1989.
- b. Prefab (offsite) of repair assemblies: March 6 to March 17, 1989.
- c. Begin on-site repairs: March 20, 1989.
- d. Repair one unit at a time using approximately an 11-man crew eight working days for each unit.
- e. Complete first unit: March 29, 1989.
- f. Complete second unit: April 10, 1989.
- g. Complete third unit: April 21, 1989.
- h. Complete compliance testing on all three units: July 1, 1989.

3M notes that the oxidizers will continue in operation whenever the associated line is running. Therefore, any adverse environmental impact which may be associated with these lines will be less than the impact anticipated under the existing

variance since the oxidizers, even in their present conditions, provide greater emission reductions than the previously existing controls.

In its variance recommendation, the Agency states that the revised schedule for compliance is reasonable and recommends the Board grant the variance extension. The Agency agrees that the adverse environmental impact will be slight and that the problems which have occurred could not have been foreseen. The Agency recommends the reinstatement of the conditions in PCB 88-14 that relate to lines 2G, 3G and 4G.

The Board will grant the requested extension of the variance from 35 Ill. Adm. Code 215.205(c) and 215.207 until August 1, 1989 subject to the pertinent conditions imposed in the Board's Order in PCB 88-14 dated February 2, 1989 for lines 26, 36 and 46 at 3M's Bedford Park tape manufacturing plant. The Board finds the anticipated adverse environmental impact to be minimal. The Board also finds that requiring immediate compliance would impose an arbitrary and unreasonable hardship on 3M.

The foregoing constitutes the Board's findings of facts and conclusions of law in this matter.

ORDER

The Board hereby grants the Minnesota Mining and Manufacturing Company ("3M") an extension of variance from 35 Ill. Adm. Code 215.204(c) and 215.207, as amended at 12 Ill. Reg. 815, 840-42 (Jan. 8, 1988), for the period from April 1, 1989 until August 1, 1989 for its tape manufacturing lines 2G, 3G and 4G at its Bedford Park Plant, subject to the following conditions:

1. Ninety days after installation of new control equipment on any of Lines 2G, 3G and 4G, or upon normal operation of the new control equipment on any of Lines 2G, 3G, and 4G, whichever occurs first for each line:
 - a. Volatile organic material from the "adhesive coating" will not by-pass the thermal oxidizers and the thermal oxidizers will achieve 95% destruction efficiency on the captured volatile organic material, except during malfunction and breakdown as authorized by the IEPA operating permit.

- b. Lines 2G, 3G and 4G, shall be operated to achieve at least equivalence with 2.9 lb. VOM/gallon using the formulas contained in Section 215.207 for each product manufactured, except during malfunction and breakdown as authorized by the Agency operating permit.
2. Within 45 days after the date of this Order, 3M shall execute and send to:

Illinois Environmental Protection Agency
 Attention: Susan Schroeder
 Enforcement Programs
 2200 Churchill Road
 Springfield, IL 62794-9276

a Certificate of Acceptance and Agreement of this variance by which it agrees to be bound by the terms and conditions contained herein. This variance will be void if 3M fails to execute and forward the certificate within the 45-day period. The 45-day period shall be in abeyance for any period during which the matter is appealed. The form of the certification shall be as follows:

CERTIFICATION

I, (We) _____, having read the Opinion and Order of the Illinois Pollution Control Board in PCB 89-51, dated _____, understand and accept the said Opinion and Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

 Petitioner

 Authorized Agent

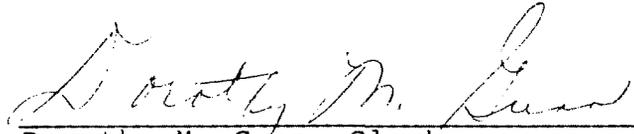
 Title

 DATE

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111¹/₂ 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 Opinion and Order was adopted on the 32nd day of June, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk,
Illinois Pollution Control Board