

ILLINOIS POLLUTION CONTROL BOARD
March 3, 1977

HOMER GRAIN COMPANY,)
)
 Petitioner,)
)
 v.) PCB 76-312
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Dr. Satchell):

On December 6, 1976 Homer Grain Company petitioned the Pollution Control Board for a variance from Rule 203(d)(9)(B) of the Board's Chapter 2: Air Pollution Control Regulations (Chapter 2). The Environmental Protection Agency's (Agency) recommendation in this matter was filed on February 1, 1977.

Homer Grain seeks a variance from Rule 203(d)(9)(B) of Chapter 2 until October 1, 1978 in order to install certain air pollution equipment. April 30, 1977 is the date by which Homer Grain is required to achieve compliance with this regulation. Homer Grain operates a grain handling and drying operation in Homer, Illinois in Champaign County. Homer is a city of approximately 1400 people. The facility is engaged in receiving, storing, cleaning, drying, handling and shipping whole kernel grain. The elevator employs 12 people with an annual payroll of \$200,000 per year and purchases approximately \$300,000 worth of operating supplies in Champaign County. Approximately 10,000,000 bushels of grain are received and shipped every year.

In the grain facility are several dump pits described by the Agency as follows:

Dump pit B1, annual throughput - 2,000,000 bushels
Dump pit B2, annual throughput - 250,000 bushels*
Dump pit B3, annual throughput - 850,000 bushels
Dump pit G1, annual throughput - 3,400,000 bushels
Dump pit G2, annual throughput - 2,600,000 bushels
Dump pit C1, annual throughput - less than 300,000
bushels.

*"An air pollution control scheme will be installed on pits B1, B2 and B3, since they receive dry grain in excess of 300,000 bpy each." (Pet. 2).

There are three grain dryers with individual capacities of 6,000 bushels per hour (BPH), 4,000 BPH and 1,500 BPH. There are also numerous storage units and numerous items of conveying equipment at the facility. By December 1, 1976 all three dryers should have been in compliance with Rule 203(d)(9)(C) of Chapter 2.

Emission controls on dump pits B1, B2, and B3 are scheduled to be installed and placed in operation no later than December 31, 1977. The elevator has an elevated belt conveyor for which a dust collection control is presently being installed and is due to be placed in operation during the early part of 1977.

The Agency states that it has discussed the proposed control program with representatives of Homer Grain on several occasions during the past few months and has learned additional facts not specified in the variance petition. Presently, Petitioner does not intend to install pollution control equipment on major dump pits G1 and G2 due to several factors. Both dump pits are quite small in actual volume which makes the pits unsuitable for retrofitting conventional aspiration type controls. Furthermore, Petitioner has not yet ascertained whether the operation of these two dump pits causes excessive emissions. Both dump pits are used primarily for the receiving of wet corn which makes the emissions much less than if the pits received dry corn. During the harvest season these pits are run almost on a constant basis. Because of these factors the Agency states it is willing to allow Homer Grain to operate pits G1 and G2 after the controls are installed on the other dump pits to see whether the operation of pits G1 and G2 causes excessive emissions. According to the Agency, if excessive emissions are created Homer Grain has agreed to control the pits satisfactorily or cease using them permanently. Operation of pits G1 and G2 subsequent to December 31, 1977 will be done for purposes of receiving wet grain only.

Homer Grain also stated to the Agency that other emission sources would be controlled. This includes a conveyor belt that transfers grain from the dryers to storage units. According to the Agency this conveyor belt will be controlled no later than October 1, 1978. The Agency further states that Homer Grain agreed to control the railroad loadout system no later than October 1, 1978 and to replace cyclones at the top of the workhouse by October 1, 1978. The Agency has observed the cyclones

to be frequently clogged and ineffective as emission controls. During the Agency investigations in the past there has been evidence of poor maintenance concerning the cyclones and the elevated conveyor belt; however, this should be remedied with equipment with reduced maintenance requirements.

The Agency has not received full details on the emission control equipment for the railroad load out system; however, the Agency has received several aspects of this program, including construction permit applications and has found the program to date favorable. The Petitioner and the Agency have agreed upon a schedule for construction permit applications for all control devices which have not yet received construction permits.

Homer Grain has replaced three rack type dryers with column type dryers at a cost of \$550,000. It is not clear from the petition that this was solely for the control of emissions. Other expenditures to control emissions are projected to be approximately \$300,000 (Rec. 5).

The nearest ambient air monitoring station to Homer is in Champaign, a distance of fifteen miles. During 1975, at the Champaign station, the average annual geometric mean for particulate matter was 46 micrograms per cubic meter, well within the allowable standards. During the same period the maximum 24-hour concentration was not exceeded. In 1976 one sample has exceeded the 24-hour maximum. The Agency does not regard this as necessarily characteristic of the air quality within Homer, Illinois.

Petitioner states that investment in pollution control devices have created cash flow problems and that should acceleration of the plan be necessary the business would be jeopardized. The Agency states that since Petitioner's program is substantial and reasonable it recommends that the Board endorse the program subject to express conditions.

The Agency states that complaints have been received about Petitioner's operations in the past. One complainant in particular expressed doubt as to whether Petitioner's program was adequate. The Board has received one objection to the grant of variance which gives a detailed complaint. Petitioner's compliance plan as presented by the Petitioner and the Agency if properly pursued should eliminate many if not all of the objector's complaints.

Petitioner's hardship is apparently one of time. Petitioner cannot do an adequate job of controlling particulate matter by April 30, 1977. The Board agrees with the Agency that the program proposed is reasonable. Under these circumstances the Board will grant Petitioner a variance subject to the Agency's suggested conditions. In addition, the Board will require a performance bond for \$100,000 to be posted with the Agency with release based upon compliance.

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

ORDER

The Pollution Control Board hereby grants Homer Grain Company a variance from Rule 203(d)(9)(B) of the Chapter 2: Air Pollution Regulations until October 1, 1978 subject to the following conditions:

1. Only grain that needs conditioning shall be placed in dump pits designated as G1 and G2 after December 31, 1977.
2. A construction permit application for an emission control system for the dump pits designated B1, B2, and B3 shall be submitted to the Agency no later than July 1, 1977. That emission control system as described in the construction permit application shall achieve compliance with all applicable standards no later than December 31, 1977.
3. The dry grain conveyor system, designated as Conv. D1 on page 15 of the variance petition, shall be equipped with an emission control system capable of achieving compliance with all applicable standards no later than October 1, 1978.
4. A construction permit application for an emission control system for the railroad load out process shall be submitted no later than July 1, 1977. That emission control system as described in the construction permit application shall achieve compliance with all applicable standards no later than October 1, 1978.
5. A construction permit application for an emission control system to replace the cyclones on top of the

workhouse shall be submitted to the Agency no later than July 1, 1978. That emission control system as described in the construction permit application shall achieve compliance with all applicable standards no later than October 1, 1978.

- 6. The elevated, reversible conveyor belt which traverses Maple Street shall be equipped with an emission control system capable of achieving compliance with all applicable regulations no later than April 1, 1977.
- 7. Petitioner shall post a performance bond in the amount of \$100,000 with the Agency to assure the construction required for compliance. The bond will be submitted to:

Environmental Protection Agency
 Control Program Coordinator
 Division of Air Pollution Control
 2200 Churchill Road
 Springfield, Illinois 62706

- 8. Within thirty-five days of this order Homer Grain shall execute and forward to the:

Control Program Coordinator
 Division of Air Pollution Control
 2200 Churchill Road
 Springfield, Illinois 62706

a Certification of Acceptance and Agreement to be bound to all terms and conditions of this variance. The form of that Certification shall be as follows:

CERTIFICATION

I (We), _____, having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 76-312, hereby accept said Order and agree to be bound by all the terms and conditions thereof.

Signed by _____

Title _____

Date _____

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 3rd day of March, 1977 by a vote of .5.0.

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