

ILLINOIS POLLUTION CONTROL BOARD  
June 7, 1973

KALUZNY BROTHERS, INC. )  
 )  
 ) #73-149  
 v. )  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Petitioner owns and operates a plant in Joliet rendering animal by-products to produce tallow, grease and meat and bone meal. During the operations, odors are given off from several locations. These odors became the subject of an enforcement proceeding in case entitled Environmental Protection Agency v. Kaluzny Brothers, Inc., #72-160, pursuant to which we entered an order on February 14, 1973 finding violations of Sections 9(a) and 9(b) of the Environmental Protection Act and Rule 3-2.110 of the Rules and Regulations Governing the Control of Air Pollution. Penalty in the amount of \$2,000 was assessed and Kaluzny Brothers, Inc. directed to submit an odor abatement program within 45 days and ordered to cease and desist the causing of odor emissions within 60 days from the rendition of the Order.

The present petition seeks a variance until August 1, 1973 to take the steps necessary to achieve such abatement. Petitioner proposes to install a scrubber system, having a Venturi and tower scrubber in series. All non-condensable gases from cookers and fat dryers will pass through a Venturi-type scrubber and then through a packed tower scrubber before discharge into the atmosphere. In addition, ventilating air in the plant building including that surrounding the odor sources, particularly perc pans and fat dryers, will pass through the tower scrubber.

Exhibits 5 and 6 to the petition describe the principal features of the odor abatement system. Exhibits 3, 4 and 7 depict the method of installation. Upon installation of the equipment described in Exhibit 5, the fats dryer will be moved from its present location into proximity with the cookers and will be vented into the shell and tube condenser associated with the cookers. The non-condensable gases from the shell and tube condensers will pass from the Venturi scrubber to the tower scrubber rather than the water sump as is presently the case.

Petitioner anticipates an expenditure of approximately \$49,000 and represents that upon installation and operation, the odor emissions

from its operation will be in compliance with the Environmental Protection Act and the relevant regulations.

The time schedule submitted indicates operation and testing completed by August 1, 1973. We believe the program to be an extremely good one and commend petitioner for taking the steps that it has to achieve compliance with our earlier order and with the applicable law. We are hopeful that the system will bring the results anticipated. Clearly, a variance to August 1 will be in the best interests of the community. The hardship on the company if the variance is denied would be disproportionate to any continuing burden on the neighborhood during the short period involved. We grant the variance as requested.

The Agency recommends the grant of the variance in substantial accordance with the petition.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board:

1. That Kaluzny Brothers, Inc. be granted a variance from the provisions of Sections 9(a) and (b) of the Environmental Protection Act, Rule 103(b)(2) of the Air Pollution Regulations relating to operating permits, Rule 104 relating to compliance programs and project completion schedules and Rule 802(b) relating to odor nuisances, until August 1, 1973.
2. That Kaluzny Brothers, Inc. is granted a variance from our February 14, 1973 Order requiring it to cease and desist the violations found within 60 days, which period is extended to August 1, 1973. On or before August 15, 1973, petitioner and the Agency shall jointly perform such odor tests as are appropriate to ascertain compliance with the foregoing provisions with respect to odor emissions to determine the extent to which said odor nuisance has been abated.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the above Opinion and Order was adopted on the 7<sup>th</sup> day of June, 1973, by a vote of 4 to 0.

