

STROMBECK MANUFACTURING CO.)
 PETITIONER)
)
)
 v.) PCB 74-71
)
)
 ENVIRONMENTAL PROTECTION AGENCY)
 RESPONDENT)
)

OPINION AND ORDER OF THE BOARD (by Mr. Marder)

This case comes to the Board on Petition of Strombeck Manufacturing Co. for variance from unnamed Rules and Regulations of the Board, in order to use a wood-fired boiler for an indefinite period. The Petition was filed February 25, 1974.

The Agency filed its recommendation March 25, 1974. In it, the Agency suggested that Petitioner was requesting variance from Rule 202 (b) of Chapter 2 of the Board's Rules and Regulations, and Rule 3-3.112 of the Rules and Regulations Governing the Control of Air Pollution. The Agency then goes on to recommend that this variance request be denied.

Hearing was held May 17, 1974, in Moline, Illinois.

Petitioner operates a woodworking plant, producing wood products such as hand-tool handles, toys, models, and flatware. Its plant is located at 51st Street and 4th Avenue in Moline.

Petitioner has three boilers at its plant for heating and for operating air compressors. Boiler #1 is gas-fired, while Boilers 2 and 3 are wood-fired. This requested relief is for Boiler #2.

Petitioner has about 410 tons of waste material per annum, in the form of wood chips, sawdust, and shavings. Presently, the majority of its material is being taken to a landfill for disposal (Agency Rec. P. 2).

If the variance were granted, the Agency estimates emissions from the plant as follows: (from Agency Rec. P. 2)

	<u>Pounds Per Hour</u>
Particulates	1.35
Sulfur Oxides	0.16
Carbon Monoxide	0.11
Hydrocarbons	0.11
Nitrogen Oxides	0.54
Carbonyls	0.03

The Agency comments that it feels only the particulates will exceed the standards. The standard under Rule 3-3.112 is 0.324 lbs/hr. The Agency also feels there will be black smoke emitted with an opacity range of 50-75% (Agency Rec. P. 2).

Environmental Impact:

The Agency notes that the plant is located in a primarily industrial area with residences located "within at least 200 feet to the south." (Agency Rec. P. 2)

The Agency further states that no citizens interviewed object to the granting of this variance, and that other than the black smoke emissions, there is little likelihood of 9 (a) violations.

Hardship:

The Petitioner states as its hardship that burning of gas during the energy crisis would be unreasonable. It further states that pollution control equipment is beyond the ability of the company to finance. Also, Petitioner contends that burning scrap would be an energy-conserving technique.

At hearing, the parties entered into a stipulation agreement as follows:

1) The Agency will change its recommendation to recommend the grant of a 30-day variance. If at the end of the 30 days, it is found that Petitioner is in compliance, then Petitioner shall apply for an operating permit.

If the facility is not in compliance, then Petitioner shall file for a variance, subject to the following conditions, and the Board shall grant such variance.

2) The charge rate shall not exceed the furnace design rating.

3) The charge shall be at an even rate so as not to dampen the temperatures.

4) All wood charge shall be sawdust or hogged wood.

5) The boiler grate shall be shaken twice each shift.

6) Only sawdust and hogged wood shall be charged to the boiler.

7) A log of malfunctions, breakdowns, and startups shall be kept during the period when the boiler is used.

8) If a 30-day surveillance period shows visible emissions in excess of the requirements of Rule 202, Petitioner shall file for a variance within a reasonable time stating the corrective measures it will be taking (R. 1-2).

Mr. Linick of the Agency states that the Agency feels that this is

a just and equitable settlement in this matter, and is in the public interest (R. 1).

He also stated the Agency's belief that Petitioner's plant will be in compliance with all applicable Board Rules, save Rule 202 (b) (visual emissions) (R. 1).

The Board hereby accepts this agreement and incorporates it as part of its Order, save that the Board will not automatically grant a new variance. A new variance proceeding must be initiated by Petitioner, and that proceeding shall be determined on that record.

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

ORDER

IT IS THE ORDER of the Pollution Control Board that variance is granted Petitioner from Rule 202 (b) of Chapter 2 of the Board's Rules and Regulations until July 13, 1974, subject to conditions agreed to by the parties and enumerated above, with the exception that the Board will not automatically grant a continuation of the variance, but will only act upon a new petition for variance.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 13th day of June, 1974, by a vote of 4 to 0.

Christan L. Moffett