

ILLINOIS POLLUTION CONTROL BOARD
August 1, 1974

LAKWOOD ENGINEERING & MANUFACTURING COMPANY,

Petitioner,

vs.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB 74-173

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

On May 7, 1974, Lakewood Engineering and Manufacturing Company filed its Petition for Variance, seeking therein permission to exceed the limitations of Rule 205(f) of the Illinois Pollution Control Board Regulations, Chapter 2, Part II. An Amended Petition was filed on May 20, 1974.

The Petitioner is a manufacturer and assembler of electric fans, heaters and lighting fixtures. Approximately 1,800,000 of these items are manufactured annually at its Chicago facility with a gross sales volume of approximately \$18,000,000.00. Petitioner employs an average of 350 persons. Integral to this manufacturing process is the painting of products.

This painting function is accomplished through an electrostatic spray painting operation. The material used is a baked enamel composed of alkyd and melamine resins and photochemically reactive solvents. The solvents currently used are Xylo1 and BS 150 of which an estimated 19 pounds per hour is emitted from four (4) spray booths and 40 pounds per hour from the bake oven. Petitioner does not have any control equipment for organic emissions from its spray paint operation or drying oven. The spray paint operation does have control for particulates.

Petitioner received an operating permit, #03100096, for its spray painting operations on November 7, 1973. The permit expired March 31, 1974. The Agency has refused to issue a new permit on the ground that the facility was not in compliance with Rule 205(f).

Petitioner proposes to comply with Rule 205(f) by using exempt solvents. However, Petitioner claims these solvents are not commercially available at the present time. Petitioner expects to be able to acquire such solvents within six months to one year.

Agency investigators during their inspection of Petitioner's facilities detected organic solvent odors within the plant and light odors outside the plant area. Persons who worked in the area stated they had experienced no odor problems.

Petitioner's facility is located in an industrial/commercial area at

2121 North Carpenter, Chicago, Cook County, Illinois. The Agency has received no citizen complaints or objections to the granting of this Variance.

Petitioner has submitted two letters from its supplier to the effect that exempt solvents cannot be presently acquired due to current shortages in the market. Petitioner asserts that denial of the variance would impose undue hardship in itself, its employees and its customers, especially retail chains.

In view of the current shortage of non-photochemically reactive solvents we are disposed to grant the variance requested for a period of six months, subject to certain conditions.

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

IT IS THE ORDER of the Pollution Control Board that Petitioner be granted a variance from the provisions of Rule 205(f) of the Air Pollution Control Regulations for a period of six months from the date of this Order, subject to the following conditions:

1. Petitioner shall utilize as much exempt solvent formulations as can be furnished by its suppliers.

2. Petitioner shall submit monthly reports to:

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

The monthly reports shall include the total amount of solvents used, the nature and amount of non-exempt solvents used, the nature and amount of exempt solvents used, the amount and nature of exempt solvents purchased (indicating the supplier), the amount and nature of non-exempt solvents purchased (indicating the supplier), and the amount and nature of solvents in inventory at the beginning of each month.

3. Within 3 months of the date of this Order, Petitioner shall submit to the Agency a modified compliance plan to replace that which has been nullified by shortages. This plan may:

- i. Achieve compliance at the expiration of the Variance by replacement of photochemically reactive solvents with non-reactive solvents demonstrated to be readily available; or

- ii. Achieve compliance at the expiration of the Variance by qualification under the Alternative Standard of Rule 205(f)(1); or
- iii. Achieve compliance by May 30, 1975, under the provisions of Rule 204(f)(2)(D).

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on this 1st day of , 1974 by a vote of 3-0.

Christan L. Moffett