

ILLINOIS POLLUTION CONTROL BOARD
April 4, 1974

AMEROCK CORPORATION)
PETITIONER)
)
)
v.) PCB 74-13
)
)
ENVIRONMENTAL PROTECTION AGENCY)
RESPONDENT)
)

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

This action involves a variance request filed on January 7, 1974, by Amerock Corporation. Relief is sought from Rule 205 (f) until March 31, 1975, to allow the operation of Petitioner's painting and lacquering facilities located in Rockford, Illinois.

The Agency on February 6, 1974, filed a motion before the Board, objecting to the grant of a variance and calling for a hearing on the matter. The Board on February 14, 1974, issued an Order stating that the motion will be covered with the case. The Agency in its recommendation filed March 12, 1974, recommended a grant for six months, subject to certain conditions.

Petitioner owns and operates in Rockford, Illinois, two plants which are the subject of this petition. The first plant located at 4000 Auburn Street in Rockford, Illinois, employs 1600 people and consists of the general offices, a machine shop, a small zinc foundry, a plating department, and a surface coating department. The surface coating department is the source of emissions in this matter. There are four rooms in the surface coating department. Rooms #2, 3, and 4 are presently in compliance; however, Room #1 is not in compliance and thus is a subject of this variance proceeding. Petitioner also operates a plant at 416 S. Main Street, Rockford, Illinois, where it employs approximately 190 persons. The plant primarily finishes window hardware. In connection with the finishing process, Petitioner operates one electrostatic paint room, containing two Ransburg electrostatic disc spraying systems and a bake oven.

The following table details emissions at both plant sites:

South Main Location

Allowable Under Rule 205 (f) - 8 lbs/hr.

<u>Coating Material</u>	<u>Oven Emissions</u>	<u>Spray Booth Emissions</u>
Coppertone Enamel	23.7 lbs/hr.	15.8 lbs/hr.
Paladin Black Enamel	14.6 lbs/hr.	9.4 lbs/hr.
Venetian Bronze	9.4 lbs/hr.	6.2 lbs/hr.
Black Wrinkel	10.5 lbs/hr.	7.0 lbs/hr.

Auburn Street Location -
Electrostatic Paint Room #1*

Clear Lacquer	5.4 lbs/hr.	12.5 lbs/hr.
Paladin Black	12.5 lbs/hr.	8.2 lbs/hr.

*Rooms #2, 3 and 4 are in compliance.

On November 27, 1973, Amerock Corporation was granted an operating permit for its painting and lacquering facilities. Said permit expired on March 31, 1974, because the compliance plan predicted compliance by that date. Petitioner's compliance program called for either the elimination or reformation of certain paints and lacquers of such composition and use so as to be in conformance with Rule 205. Petitioner alleges that had adequate supplies of non-photochemically reactive paints been available, they would have met the March 31, 1974, deadline. Petitioner now alleges that due to short supplies of non-photochemically reactive solvents, they are unable to meet the March 31, 1974, deadline. Petitioner therefore asks for time to reevaluate its compliance plan, to study alternate methods of technology, and evaluate both powder and water-based paint formulations.

Petitioner alleges that they have diligently attempted to bring their facilities into compliance with Rule 205 (f). The Petition and Agency recommendation presented in this matter confirm this statement. Petitioner has reformulated all of their paint stocks but now finds itself in the position that many other corporations in the state have found themselves in: no supply to meet their demands. In addition to the above steps, Petitioner is investigating the technological feasibility and the equipment requirements and costs of using either powder coatings or water-based paints. Petitioner notes that if such a system can be worked out, at reasonable costs, it is possible to have them in operation by December 31, 1974. Petitioner is also investigating alternate methods of technology. Both carbon absorption and/or incineration devices are under investigation.

Petitioner alleges that in the event a variance were not granted, it would be forced to close down its facility, thereby laying off some 150 employees. The Board again reaffirms its position that failure to

grant a variance is not the same as a shutdown order, but merely allows Petitioner to operate without fear of prosecution. In the instant case, the Board feels that the diligent approach towards the problem warrants a shield from prosecution, and thus a variance will be granted.

The Agency in its investigations has uncovered a number of items which indicate the effect of Petitioner's discharges on the environment. The Auburn Street plant is just inside the Rockford city limits. It is located between a wooded area and residential areas. The nearest residence, however, is 500 feet from the source. The Agency contacted and interviewed six citizen witnesses. Only one noticed yellowish smoke and odors in the summertime from stripping of paint racks. None of the other witnesses interviewed noticed either odor or dust. While there was one complaint during 1973 regarding smoke, there were no complaints that could be directly tied to emissions from the spray painting operations. The South Main plant is located in an industrial, commercial area within Rockford. The nearest residence is 1000 feet from the source. Although no citizens were interviewed, no complaints were received in 1973 regarding the South Main plant. An Agency investigator did not notice any odors in the vicinity of either plant.

The Agency in its recommendation recommends a six-months variance grant. In the alternate, the Agency states that the Board may dismiss the petition on the grounds that the Petitioner may file a compliance plan and project completion schedule showing that the Petitioner will by May 30, 1975, reduce the organic material of its coatings to 20% or less of total volume. This procedure would bring about compliance with Rule 205 (f) (2) (d). The Board feels, however, that in the instant case it would be wiser to grant a full one-year period, thereby allowing Petitioner to follow the various avenues open to it. It is also noteworthy that the Federal Energy Office has established mandatory allocation of petrochemical feed stocks to petrochemical producers, including solvent manufacturers, in a quantity equal to 100% of the producer's current requirements (Federal Register, Vol. 39, #10, Part 3, Subpart 211J, January 15, 1974). Petitioner should utilize such exempt solvents as they become available.

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 Petitioner, Amerock, be granted a variance from Rule 205 (f) of Chapter II until March 31, 1975, subject to the following conditions:

1. Petitioner shall continue its study regarding powder and water-based coating systems. Petitioner shall also con-

tinue to diligently investigate alternate methods of technology. Petitioner shall no later than six months from the date of this Order file with the Agency, a compliance plan and project completion schedule detailing the date by, and methods under which it shall achieve compliance with Rule 205 (f).

2. During the term of the variance, Petitioner shall continue to seek non-photochemically reactive solvents and use such whenever available.
3. Petitioner shall report bi-monthly to the Agency. Such reports shall detail what progress has been attained in regards to Conditions number one and two above.

IT IS SO ORDERED.

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 4th day of April, 1974, by a vote of 5 to 0.

Christan L. Moffett