

ILLINOIS POLLUTION CONTROL BOARD

July 25, 1974

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
v.) PCB 73-345
CHRYSLER CORPORATION, a Michigan)
Corporation,)
Respondent.)

Mr. James K. Jenks, Jr., attorney for Complainant.
Mr. Elmer C. Rudy, attorney for Respondent.

OPINION AND ORDER OF THE BOARD (by Dr. Odell)

A Complaint was filed with the Illinois Pollution Control Board (Board) against the Chrysler Corporation on August 16, 1973. The Environmental Protection Agency (EPA) filed an Amended Complaint on February 20, 1974. Respondent owns and operates an automotive assembly plant located at Chrysler Drive, Belvidere, Boone County, Illinois. Equipment at the facility includes four boilers, a solder grinding operation, and paint priming booths. The EPA alleged in its Amended Complaint that Respondent:

1. Violated Section 9(a) of the Environmental Protection Act (Act) from July 1, 1970, through February 20, 1974, by emitting smoke, odors, hydrocarbons, and particulate matter into the atmosphere from plant processes.

2. Violated Rule 3-3.112 of the Rules and Regulations governing the Control of Air Pollution (Air Regulations) from July 1, 1970, through February 20, 1974, by emitting excessive amounts of particulates into the atmosphere.

3. Violated Rule 3-3.122 of the Air Regulations on December 6, 1972, from plant emissions exceeding No. 2 on the Ringlemann Chart.

4. Violated Rule 103(b)(2) of the Air Pollution Control Regulations (Chapter Two) from June 1, 1973, to February 20, 1974, by operating its emission sources and existing air pollution control equipment without an operating permit from the EPA.

A hearing took place on March 13, 1974, in which a Stipulation and Proposal For Settlement was entered into the record. Failure by the parties to sign the Stipulation delayed until July 8, 1974, its receipt by the Board. For the purposes of settlement, Respondent admitted a violation of Rule 103(b)(2) of Chapter Two and agreed to pay a penalty of \$500.00. The parties also stipulated that no facts exist to support any other allegations in the Amended Complaint. The proposed Settlement was expressly conditional upon approval in all respects by the Board. Finally, Chrysler agreed

to modify some of its plant operations, as listed in items "a" through "e", below. The stipulated Terms of Settlement are:

"a. Chrysler Corporation agrees to convert one of its existing coal fired boilers to a combination gas and coal fired boiler by March 1, 1975. The gas to be so utilized is presently available and in use elsewhere at the plant and will be diverted for use with the converted boiler. The purpose of the conversion is to increase the combustion in the boiler during periods of reduced heating and operating demand (summers and weekends). Gas will be used exclusively to fire the converted boiler when boiler demand is 10,000 lbs. steam per hour or less, and a combination of gas and coal will be used when demand is in the range 10,000 lbs. steam per hour to 100,000 lbs. steam per hour.

"b. Respondent, Chrysler Corporation agrees to eliminate fly ash reinjection from the economizers on all boilers.

"c. Respondent, Chrysler Corporation agrees to fabricate and install an adjustable louvered control to maintain the volume of air flow through the precipitator at an efficient level at varying loads.

"d. Respondent, Chrysler Corporation agrees to increase the velocity of gas going through the precipitator to increase its efficiency, particularly in the removal of larger particles.

"e. Respondent, Chrysler Corporation agrees to discontinue keeping a boiler on standby thereby reducing the chance of smoke from the standby unit.

"f. Respondent, Chrysler Corporation agrees to a penalty of \$500.00 for the aforesaid violation admitted to and found to have occurred.

"g. This settlement in no way provides or exempts Chrysler Corporation from any other obligations it may incur under the laws of Illinois and specifically any future violations of the Environmental Protection Act."

We accept the Stipulation and Proposal For Settlement entered into between the parties. The fact that Respondent's only violation is lack of permits makes the penalty a reasonable one. We conclude from paragraph "g" of the proposal (quoted above) that Respondent intends to immediately apply for and obtain its operating permits under Rule 103(b) (2) meeting the standards of Rule 203(b) of Chapter Two. Also, we understand that items "b" through "e" will be undertaken within 35 days and completed promptly.

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

ORDER

IT IS THE ORDER of the Illinois Pollution Control Board that:

1. Respondent pay a penalty of \$500.00 for the violation of Rule 103(b)(2) of Chapter Two established in this Opinion. Payment shall be by certified check or money order made payable to the State of Illinois, Fiscal Services Division, Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706. Payment should be made within 35 days of the adoption of this Order.

2. Respondent shall apply for necessary permits under Rule 103(b)(2) within 35 days of the adoption of this Order.

3. Respondent shall begin implementation of its program set out in the Terms of Settlement in the Stipulation filed with the Board on July 8, 1974, and as reproduced above in the Opinion. This program shall be undertaken within 35 days of the adoption of this Order and be completed by March 1, 1975.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 25th day of July, 1974, by a vote of 5 to 0.


Christan L. Moffett