

ILLINOIS POLLUTION CONTROL BOARD

June 27, 1974

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 vs.) PCB 73-224
)
MATERIAL SERVICE CORPORATION,)
)
 Respondent.)

Dennis Fields, Assistant Attorney General for the EPA
Richard Elledge, Attorney for Respondent

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

The Environmental Protection Agency alleges that Material Service Corporation caused or allowed dust and other contaminants from its limestone quarry to be discharged into the atmosphere so as to cause air pollution in violation of Section 9(a) of the Environmental Protection Act. The violations allegedly occurred every day of quarry operations since July 1, 1970. Respondent is also charged with installing pollution control equipment (a baghouse) in 1970 without an Agency permit in violation of Rule 3-2.100 of the Rules and Regulations Governing the Control of Air Pollution.

Four public hearings were conducted on these matters during which little substantive testimony relative to the case was produced. There was excessive delay and wasted motion by the parties in the handling of this case. The hearings largely consist of conversation among the lawyers regarding the fact that they were still negotiating, but one member of the public did voice his objection to the dust emissions from the quarry. Finally, the parties submitted a Stipulation and Proposal for Settlement.

According to the Stipulation, Material Service operates a limestone quarry located in the Village of Thornton. The quarry has been in continuous operation since shortly after the turn of the century and is believed to be the largest commercial limestone quarry in the country. The 500 acre facility includes crushing, screening, storage and distribution equipment, some of which is located 160' below grade.

Blasted stone is fed to a primary crusher located on the quarry floor and then by a 3800' covered conveyor system to a surge pile. From the surge pile the crushed stone is transported on a 1200' covered conveyor system to an enclosed "mill". Within the "mill" the stone is processed by secondary crushing, tertiary crushing, screening, conveying and classifying into about sixty different product sizes. Final product stone is then transported by conveyor or truck to cement silos, bins or open stockpiles. A portion of the crushed stone is conveyed to a wash plant where small particles and trace impurities are scrubbed from the product. The washed product is then transported to various storage facilities on the premises.

Crushed limestone in quantities up to 60 tons per hour is fed to a mineral filler plant where it is dried and processed through ball mills and air classifiers before being placed in bins.

The various limestone products are shipped from the facility in trucks owned and operated by Respondent's customers or independent or contract carriers. Respondent does not own or operate any trucks for transporting final product from the facility.

Since 1955 Respondent has conducted its operations in a manner designed to reduce the emission of particulate matter into the atmosphere. The control program has included: a) the use of water injection on rotary drills, b) a road patrol to remove spilled stone from quarry roadways, c) periodic application of oil or calcium chloride on quarry roadways, d) covered conveyor systems to reduce truck traffic within the quarry, e) construction of a new scale house with paved roadways, and f) the use of a street sweeper for removal of stone which is spilled from trucks leaving the facility.

Prior to January 1971 particulate emissions from the ball mills and air classifiers together with fugitive dust from various conveyor transfer points in the mineral filler plant were controlled by a cyclone and a 32 bag baghouse, in tandem. In January 1971 Respondent installed, without Agency permit, a new 100 bag pulse-air baghouse to control these particulate emissions.

Particulate emissions from two rotary driers in the mineral filler plant were previously ducted to a pair of cyclones and then through a common rotoclone to the atmosphere. In April 1972 Material Service was informed by the Agency that its particulate emissions were possibly in excess of those allowed by the Rules and Regulations and that the Agency was aware the baghouse had been installed without Agency permit. Respondent moved to solve these problems by replacing the rotary drier, cyclones and rotoclone with a fluid bed drier, two new cyclones and a baghouse collector. In addition, Respondent replaced the cyclone and 100 bag baghouse with a new 130 bag pulse-air baghouse for control of

emissions from the ball mills and air classifiers. Agency permits were issued prior to the installation of all new equipment in 1972.

After the filing of this action, employees of the EPA and the Attorney General made several inspections at the quarry site. Technical representatives from Material Service were present during the inspection to answer all questions which arose during the course of the inspection. The inspection "did not indicate any current violation of any of the provisions of Part 2 of Chapter 2 of the Illinois Pollution Control Board's Rules and Regulations". (Stipulation p. 7)

In settlement of this action Material Service agrees to implement a new control program by April 1, 1974. Under the new program, Material Service will sprinkle all stockpiles of Quick Ag, Number 17 Sandstone and Minus 50 Mesh Screenings when conditions indicate a reasonable probability of fugitive dust from these stockpiles. Material Service will also install a sprinkler system for its main surge pile and it will be used when there is a reasonable probability of fugitive dust from the surge pile. Material Service will locate all open stockpiles of Minus 50 Mesh Screenings, Indiana Ag, and Quick Ag on levels which are at least 80' below grade.

Respondent agrees to purchase a new street sweeper (cost \$20,000) to replace the present sweeper for operation within the quarry and on the streets of the Village of Thornton. Material Service will also purchase (cost approximately \$20,000) a 5,000 gallon oil tank with spray bars for oiling quarry roads, thereby supplementing the present use of an outside service. A spray bar will be maintained for spraying trucks which are transporting fine screenings out of the Thornton quarry. The spray bar will be located between the point where trucks are loaded and where the trucks are weighed on the exit scale. Material Service will require trucks using the facility to have "cleaned rub rails and tail gates" prior to leaving the premises and will establish a 15 mile per hour speed limit on the premises.

Respondent also agrees to install two high volume air samplers for use in measuring particulates in the area and will operate the samplers in accordance with an air sampling schedule set by the Agency, insofar as possible.

Finally, Material Service agrees to pay a monetary penalty of \$1500 for installing the baghouse control device without permit.

It is apparent that the Agency has decided not to proceed on the Section 9(a) charges. Respondent had made substantial efforts

to control particulate emissions prior to the Agency's "warning letter" and proceeded to install better control equipment after the warning. This probably accounts for the change of direction by the Agency.

The Stipulation does not specify how long Respondent must operate the air sampling device. We shall set the duration of sampling at one year in order to assure that the results are indicative of the actual effectiveness of the control program. With this additional condition the Board hereby accepts the Stipulation and Proposal for Settlement as submitted.

ORDER

It is the Order of the Pollution Control Board that:

1. Material Service Corporation shall pay to the State of Illinois by July 31, 1974 the sum of \$1500 as a penalty for its violations of Rule 3-2.100 of the Rules and Regulations Governing the Control of Air Pollution. Penalty payment by certified check or money order payable to the State of Illinois shall be made to: Fiscal Services Division, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706.
2. Material Service Corporation shall immediately implement its proposed pollution control program precisely as described in Paragraphs A through G in the Stipulation and Proposal for Settlement submitted in these proceedings. In addition, the air sampling program described in Paragraph E of the Stipulation shall be conducted over a period of time not less than one year.
3. The allegations that Respondent has violated Section 9(a) of the Environmental Protection Act are dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 27th day of June 1974 by a vote of 5 to 0.

