

ILLINOIS POLLUTION CONTROL BOARD
August 23, 1973

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 72-142
)
COLUMBIA TOOL STEEL COMPANY,)
)
 Respondent.)

James I. Rubin, Assistant Attorney General, on behalf of
Complainant;
Joseph S. Wright, Jr. on behalf of Respondent.

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

On April 5, 1972, the Agency filed Complaint against Respondent, Columbia Tool Steel Company of Chicago Heights, County of Cook, Illinois. Respondent owns and operates certain facilities for the manufacture of high alloy tool steel. Respondent's facilities include two electric-arc furnaces housed in a building which is equipped with six exhaust fans. Any emissions from the two electric-arc furnaces which leave the building are vented through the six fans. This system has been in operation for thirty-one years.

The Complaint charges that Respondent, during the period beginning on July 1, 1970, and continuing each day of operation up to the close of the record herein, violated Rule 3-3.400 of the Rules Governing the Control of Air Pollution by "operating said furnaces, buildings and fans in such a manner as to reduce or conceal an emission of particulate matter to the atmosphere, which emission would otherwise constitute a violation of the Air Rules." It is further charged that if not for the use of the aforementioned exhaust fans in such a manner as to dilute the number of grains of particulate matter existing in each standard cubic foot of exhaust gas discharged from the building, either or both of the furnaces would violate Rule 3-3.2132 of the Air Rules.

At the July 11, 1973 hearing on this cause, the parties entered into a Stipulation and Settlement Proposal agreeing to a penalty in the amount of \$2,000, and according to the Stipulation (Paragraph 8), the parties are agreed that if hooding were attached to each of Respondent's furnaces so as to eliminate any dilution whatsoever of the effluent coming from the respective furnaces, then the particulate concentration in the effluent would exceed the emission standard of 0.10 grains per SCFM of exhaust gas.

In the absence of a Settlement Stipulation we might have concluded that a violation was not proved. The Respondent operated for 31 years without changing his exhaust system and certainly there is no hint in the record of deliberate concealment of emissions. The settlement adopted by the parties is a practical answer to a pollution problem which did exist and we will not overturn it.

Subsequent to the passage of Pollution Control Board Rule 203 applying a process weight limitation to Petitioner's activities, said standard to become effective on May 30, 1975, Petitioner investigated and contracted for the installation of a baghouse dust collector for the emissions from its electric arc furnaces.

An application for a construction permit was filed with the Agency by Petitioner on May 31, 1972. Completion of the installation shall occur before the end of 1973, should a permit be issued, and further Petitioner agrees to use its best efforts to complete the installation at the earliest possible date. The performance level of the equipment to be installed is guaranteed to effect compliance with all applicable statutes, ordinances, and rules and regulations. No citizen complaints have been received by the Agency.

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, Columbia Tool Steel Company shall:

1. Complete the installation of the baghouse dust collector prior to January 1, 1974.
2. Pay to the State of Illinois the sum of \$2,000 within 35 days of the date of this Order. Penalty payment by certified check or money order payable to the State of Illinois shall be made to: Fiscal Services Division, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted by the Board on the 23rd day of August, 1973, by a vote of 3 to 0.

Christan L. Moffett

