

ILLINOIS POLLUTION CONTROL BOARD

January 16, 1973

JOHNS-MANVILLE PRODUCTS CORPORATION)
(WAUKEGAN PLANT))

v.)

PCB 72-444)

ENVIRONMENTAL PROTECTION AGENCY)

OPINION & ORDER OF THE BOARD (by Mr. Dumelle):

The Johns-Manville Products Corporation ("J-M"), on November 10, 1972, asked the Board to amend Condition 3 of its Opinion and Order entered September 26, 1972 (PCB 72-272). The Board, by a 3-2 vote, docketed the request as the instant variance which without hearing we grant today to run with that which it changes, namely PCB 72-272.

Johns-Manville asks that the requirement of Condition 3 that testing be done "by an independent testing organization" be changed to permit the testing by "thoroughly qualified personnel" of the J-M Industrial Hygiene Laboratory at Waukegan. Johns-Manville further state that they have perfected an alternate test method; that they offer asbestos testing services to others in the industry on a national scale; and that they prefer to count fibers near the sampling site to avoid the risk of errors induced by transport.

The Agency recommendation, dated and filed December 14, 1972 terms the J-M test method as identical with that specified by Board Regulations; differs with J-M on the necessity to count fibers at the site; and agrees that J-M personnel have expertise in asbestos testing. The Agency thus specifically recommends the grant of the variance to permit testing by J-M personnel. The Board agrees and grants the variance.

The Agency in its current recommendation asks for a 20-day advance notice before testing in order to have Agency personnel present if desired. However, in its recommendation filed in PCB 72-272 the Agency asked for only 7 days notice to witness the tests. Because no reason is given for the change in time period from 7 to 20 days and because stack testing is so

dependent upon weather conditions (especially wind) we think it better to retain the 7 day period and thus achieve more precise weather forecasts.

ORDER

- 1) Condition 3 of PCB 72-272 is changed to read as follows:

Where compliance is to be achieved by the installation of air pollution control equipment, within 30 days of the completed installation of such equipment, Petitioner shall submit to the Agency for its approval results of stack tests performed on such equipment. Testing shall be done in accordance with Rule 651 by thoroughly qualified personnel of the Johns-Manville Industrial Hygiene Laboratory at Waukegan. All aspects of the testing work shall be totally open to field observation and check by the Agency. The Agency shall be notified 7 days in advance of testing so that Agency personnel may be present, if desired, to observe all aspects of testing and analysis.

- 2) The instant variance shall expire in accordance with the dates listed by source of emissions in the Order of PCB 72-272.

The foregoing constitutes the Board's findings of fact and conclusions of law.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 16th day of January, 1973 by a vote of 3-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board