

ILLINOIS POLLUTION CONTROL BOARD

June 21, 1973

BUNGE CORPORATION,)
)
) Petitioner,)
)
 vs.) PCB 73-130
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

Alex Saliba, Jr. for the Petitioner
Thomas A. Cengel, Assistant Attorney General for the EPA

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

Petitioner operates a grain elevator in East Hannibal, Pike County, Illinois. The facility includes a dump pit, dryer, elevator legs and a barge loading station. Petitioner requests a variance until September 15, 1973 to bring its truck dump, receiving and shipping legs, and transfer conveyors into compliance with the Regulation controlling fugitive dust emissions and a variance until June 1, 1974 to bring its grain dryer into compliance. It is stated that failure to obtain additional time may result in a loss of employment for persons working at the elevator and a loss to area farmers of an active marketing facility. The elevator in 1971 shipped more than 3 million bushels of grain, representing production of over 60,000 acres of nearby farmland.

Petitioner is installing a system to control emissions from the truck dump, receiving and shipping legs and the transfer conveyor which will be operational in late September 1973. Bunge's study of its grain dryer problem indicates that control equipment for this facility could not be operational prior to June 1, 1974. Petitioner might decide to install a new dryer replacing the existing dryer as a part of its control program.

The grain elevator is in a remote area with the nearest resident living approximately 1/4 mile away.

We believe that Petitioner's request is reasonable. We would grant the variance, but action taken in R72-18 subsequent to the filing of the Bunge request, makes the grant of a variance unnecessary. On June 15, 1973 in R72-18 this Board approved an amendment to the Air Pollution Control Regulations extending the

deadlines for obtaining operating permits and for compliance with the emission regulations. Under the recent amendment a grain handling and conditioning operation must obtain an operating permit by September 1, 1974 and comply with the emission regulation by May 30, 1975.

If Bunge follows the program outlined to us these deadlines will be met. Therefore, Petitioner will be in compliance with the law and no variance is needed. We will dismiss the variance petition without prejudice.

ORDER

The variance petition is dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 21st day of June, 1973 by a vote of 4 to 0.


