

ILLINOIS POLLUTION CONTROL BOARD

May 29, 1974

DEERE & COMPANY,)
)
 Petitioner,)
)
 vs.) PCB 74-119
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

INTERIM ORDER OF THE BOARD (by Mr. Henss):

Petitioner requests variance from several regulations, including the particulate emission standard, for operation of a malleable iron foundry at Hoopston, Illinois. This variance request has been submitted for our consideration upon the Petition of Deere & Company and the Recommendation of the Environmental Protection Agency. As occasionally happens on issues which are not subjected to hearing, some of the detail is missing and we will require the parties to file comments for the purpose of clarifying the record. The additional comments shall be filed by June 13, 1974.

The parties should relate in greater detail the basis for calculating the allowable particulate emission rate in this case. When this matter was before us previously (PCB 73-88) it was indicated that the process weight rate would be 4,000 lbs./hr. The allowable particulate emission rate was therefore calculated at 3.7 lbs./hr.

The current record, however, indicates that Deere has changed the quantity and type of raw materials used in its "typical charge". If the melt cycle remains at 10 hours, it appears that the process weight rate in the current proceeding might be 6400 lbs./hr. If this is true the allowable particulate emission rate would be 4.72 lbs./hr.

However, the Agency calculates the allowable particulate emission rate at 3.54 lbs./hr. "for the reported process weight rate of this source". This implies still another process weight rate.

Two stack tests which were conducted during the same batch cycle showed particulate emissions of 4.69 lbs./hr. and 1.59 lbs./hr. Deere contends that the stack tests should be "averaged" and that therefore the actual emissions are 3.14 lbs./hr.--a figure within the allowable rate. The Agency refused to "average" the results of the two stack tests and denied an operating permit on the ground that particulate emissions exceed the allowable rate. The determination by the Agency that Deere was in violation of the particulate standard caused Deere to file for variance.

The record is inadequate for our determination of the allowable particulate emission rate. Some of the figures indicate that Deere might be in compliance with its "present practice". If this is true the variance petition may be dismissed as moot.

The parties also should comment on the Deere claim that the stack tests should be "averaged".

It is ordered that the parties file their comments relating to the determination of allowable emission rates and the averaging of stack tests by June 13, 1974.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 29th day of May, 1974 by a vote of 5 to 0.

Christan L. Moffett