

ILLINOIS POLLUTION CONTROL BOARD
March 28, 1972

IMPERIAL SMELTING CORPORATION)
)
 v.) PCB 71-393
)
 ENVIRONMENTAL PROTECTION AGENCY)

MR. MAYNARD B. RUSSEL, of Maragos, Richter and Russel, appeared on behalf of Imperial Smelting Corporation

MESSRS. DOUGLAS T. MORING and LEE CAMPBELL, Assistant Attorney Generals, appeared on behalf of the Environmental Protection Agency

OPINION OF THE BOARD (by Mr. Kissel):

Imperial Smelting Corporation ("Imperial") operates a secondary zinc processing facility in Chicago, Illinois. Imperial filed its petition for variance on December 30, 1971 in which it requested until June 30, 1972 before complying with particulate emissions found in Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution. In its petition, Imperial not only outlined the program which it alleged would bring it into compliance with the existing regulations, but added that it would operate its facility at a "reduced capacity with select material" and that it would not "operate at peak capacity until its pollution control program" is completed and operating in that "it can handle such capacity without contaminating the environment." The Agency recommended that the variance be granted on certain conditions, namely, that Imperial file bi-monthly reports, obtain permits from the Agency, do stack testing after program completion to insure that the Regulations would be met, and file a bond. A hearing was held on the petition on February 15, 1972, before Melvin Lewis, Hearing Officer.

In its Chicago operations, which constitute the subject of the petition for variance, Imperial utilizes 14 furnaces. Two of the units are rotary "sweat" furnaces and twelve are cast iron kettle furnaces. Basically, the Imperial operation consists of purchasing and receiving scrap metals which are melted down in the various furnaces so that various metals are separated. These metals are then sold for reuse by industry.

Presently, Imperial has some pollution control equipment operating on its furnaces. There is a 95% efficiency wet scrubber, which receives the off-gases from eight of the kettle furnaces. By Imperial's own admission, this scrubber has not worked very well,

and it may be that it will have to be replaced by a baghouse, or some other device. One of the rotary furnaces (the newer one, installed in 1969) has a baghouse which receives the off-gas. But it too hasn't worked very well. The bags were clogging up and, as a result, the amount of air passing through the baghouse was diminished. The other furnaces at Imperial's plant contain no pollution control equipment.

Imperial's plan is to install new Dynaclone baghouses (which are designed to collect 99% of the particulate matter) on the two rotary furnaces, to install after burners to burn off the hydrocarbons and to provide a settling chamber to collect the larger particles. One of the baghouse-after burner-settling chambers will also receive the off-gas from three of the kettle furnaces. Thus, when completed, Imperial's operations will have the baghouse-after burner-settling chamber receiving the off-gases from the two rotary furnaces [1] and three kettle furnaces, the wet scrubber will continue to receive the off-gas from eight other kettle furnaces, and the remaining kettle furnace will not be operated.

As stated in the petition, Imperial will operate at a reduced rate of production until the control equipment is installed. This will mean that Imperial will use less objectionable material, and that the amount of particulate emissions will be reduced.

It is apparent from the emission factors used by the Agency in calculating the emission rates of Imperial's furnaces that Imperial is violating the particulate regulations. The calculations, which appeared as part of the Agency recommendation and were made a part of the record by stipulation of the parties, showed that the combination of the two rotary furnaces will emit 34.64 pounds of particulate per hour, and that the allowable emission rate is 28.12 pounds per hour. Similar figures are shown for the kettle furnaces. It is also apparent that if the wet scrubber were efficiently operated and if the baghouse-after burner-settling chamber worked up to snuff, (99% collection efficiency) Imperial will meet the existing particulate regulations after the equipment is installed.

Based upon the record in this proceeding, we believe that the variance should be granted. Imperial is asking for a relatively short period of time (until June 30, 1972) to correct a problem which, while it is in violation of the regulations, has not been causing a problem in the surrounding community. If we were to deny

[1] The present baghouse on the newer rotary furnace will be replaced by the new Dynaclone baghouse.

the variance, Imperial, according to their testimony, would have to close the facility until the equipment is installed, thus putting 70 people^[1] out of work for a period of time, and the benefit to the public in closing the plant is simply not worth that economic cost.

The Agency agrees that the variance be granted, and asks that we impose certain conditions as previously outlined. We agree with those conditions and therefore will require the following:

1. Reports be sent to the Agency every month until the project is completed.

This will insure the Agency's right to know how the work is going.

2. Installation permits will have to be obtained from the Agency.

This will only be required where such permits have not already been obtained. Exhibits #1 and #2 in the record are permits issued by the Agency to Imperial, and are not modified or cancelled by this order.

3. Stack tests will be required by Imperial.

This is necessary so that the Agency and Imperial know whether the equipment installed is in compliance with the law.

4. A bond of \$10,000 will be required.

Since most of the purchasing is complete, the bond will be small since the entire program cost is \$125,000.

[1] Imperial employs 45 people at this plant and 25 at another outside Chicago. Closing the Chicago operation would affect both plants.

O R D E R

Based upon the record and the exhibits in this proceeding, the Board hereby grants to Imperial a variance from Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution until June 30, 1972, upon the following conditions:

1. Imperial shall diligently pursue the installation of the control equipment outlined in its petition for variance and the record in this cause.
2. Imperial shall operate at a reduced rate of production as described in its petition and the record in this cause, until the operation of the above described control equipment.
3. Imperial shall submit written reports to the Agency each month until the above described control equipment is installed and operating. The first report shall be filed within twenty (20) days of the date of this order. In addition, Imperial shall submit a final report to the Agency within thirty (30) days after the described control equipment is operable.
4. Imperial shall perform stack tests on each piece of control equipment after said equipment is operable. The results of said tests shall be certified by an independent testing firm and shall be made a part of the final report referred to in paragraph 3 of this order.
5. Imperial shall file with the Environmental Protection Agency a performance bond or such other security as the EPA may deem appropriate in the sum of \$10,000 to guarantee installation and performance of its control equipment in compliance with this Order.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 17 day of March, 1972, by a vote of 5-0.


