

ILLINOIS POLLUTION CONTROL BOARD  
October 25, 1973

ENVIRONMENTAL PROTECTION AGENCY )  
COMPLAINANT )  
)  
)  
v. ) PCB 73-155  
)  
)  
VULCAN MATERIALS COMPANY )  
RESPONDENT )  
)

DENNIS R. FIELDS, ASSISTANT ATTORNEY GENERAL, on behalf of the  
ENVIRONMENTAL PROTECTION AGENCY  
JOHN C. BERGHOFF, JR., ATTORNEY, on behalf of VULCAN MATERIALS  
COMPANY

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

This action involves a complaint filed against Vulcan Materials Company by the Environmental Protection Agency on April 13, 1973. The complaint alleges violations of Section 9 (a) of the Environmental Protection Act and Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution.

Vulcan Materials Company owns and operates a limestone quarry located in Joliet, Illinois. Vulcan conducts blasting, grinding, screening, and conveying operations in the normal course of its business. The equipment involved in this operation generates the particulate matter and fumes which constitute the alleged violation.

Hearing set for August 16, 1973, was continued so that the Agency and Vulcan could discuss possible settlement of this controversy. At the subsequent hearing date of September 7, 1973, the Hearing Officer allowed into evidence and made a part of the record a document entitled "Stipulation and Proposal for Settlement."

The first encounter between Vulcan and the Environmental Protection Agency occurred on April 22, 1971. This inspection was precipitated by the complaints of citizens in the area. As a result of this inspection Vulcan was notified that a possible violation existed, and that no emission control devices were evident. Vulcan then started on a compliance program. A further

inspection on April 6, 1972, again indicated a problem due to limestone dust was still apparent.

Further abatement actions were taken; however, on April 13, 1973, a complaint was filed against Vulcan by the Environmental Protection Agency.

On July 20, 1973, the Environmental Protection Agency and Vulcan conducted an inspection tour of Vulcan's quarry. As a result of this meeting a settlement proposal was entered into for complete compliance.

There is no testimony elicited as to the magnitude of violations (lbs/hr. of particulates); however, the stipulation entered into does not dispute said violation occurred. The fact that the original complaint was precipitated by citizen protests, and that Vulcan's quarry is centered in an urban area are important considerations. The probability of a health hazard is much greater in an urban area than one which is sparsely settled.

The Board finds that although the compliance schedule outlined in the Stipulation and Proposal for Settlement is somewhat lengthy, it will indeed abate the existing problems. It must be mentioned that Vulcan has since the first inspection of April 22, 1971, taken steps to abate its problems, and conditions at said quarry should be greatly reduced over the 1971 level.

The Board further feels that the monetary penalty stipulated to is a just settlement for past violations. This Order shall reflect the proposed stipulation in full.

This Opinion constitutes the findings of fact and conclusions of law of the Board.

#### ORDER

IT IS THE ORDER of the Pollution Control Board that prior to April 1, 1974, Vulcan shall take the following actions at its Joliet quarry:

1. Construct, install, and have operating a jet spray system in the crusher plant. This system will involve the use of at least twelve (12) separate jet sprays at critical points in the crusher plant.
2. Complete the program of enclosing the crusher plant and making it as air tight as possible. Where the present siding is in good repair and air tight, it may continue to act as the principal enclosure. However, any cracks or other gaps will be covered with the same type of aluminum siding previously

added as a covering.

3. Install and operate one additional jet spray over the primary crusher to contain fugitive dust arising from the dumping of newly quarried limestone rock into the primary crusher.
4. Cover all outside conveyors which are being used to carry crushed stone to storage bins in the crusher building and install a jet spray at transfer points where conveyors leave the crusher enclosure.
5. Install and maintain rubber skirting on conveyors which are being used in order to keep stray rocks from falling to the ground.
6. Install a covering on the side openings below the load-out bins (consistent with reasonable safety measures for the operator and trucks) in order to reduce dust.
7. Reduce the free-fall of the aggregate from the load-out chutes to the customer's truck by extending the chute down closer to the truck.
8. Initiate a program of wetting those stockpiles of aggregate still in the yard area of the Joliet quarry by adapting a water tank truck with a hose system which can accomplish this purpose. Vulcan will observe the conditions of the quarry and weather, and when these conditions give rise to a reasonable probability of fugitive dust from these stockpiles and the quarry, Vulcan will wet down these stockpiles. Vulcan will continue to store fine screenings in the quarry below grade level.
9. Install and operate a spray bar which will spray all trucks transporting fine screenings (1/2" and less) out of the Joliet quarry. Said spray will be installed between the points where the trucks load fine screenings and where the trucks are weighed on the

exit scale. The spray bar system shall operate in a manner similar to that now being employed at Vulcan's quarry located in McCook, Illinois.

10. Purchase or transfer a sweeper truck for use in the Joliet quarry.
11. Continue installation, and accelerate completion, of the placing of the large concrete blocks along the length of the property line along Route 53, where reasonable, by the transportation of said blocks from other Vulcan facilities, if necessary.
12. Block up the fan opening in the Grade 8 hopper bin to eliminate any fugitive dust emissions from this source.
13. Continue the emission abatement programs already completed and in operation such as: the storage of fine screenings below grade level; the continuing use of the water tank truck to wet down and flush haul roads; and the use of proper drilling techniques to eliminate dust emissions.
14. Acquire two high-volume air samplers for use at the Joliet quarry to attempt to measure the effectiveness of the air pollution control program. The first such sampler shall be operated and maintained by Vulcan, preferably on the north side of the Joliet quarry or on the office building. Vulcan personnel shall replace and remove the filters from this first sampler. The second sampler shall be placed beyond the south property line of the Joliet quarry at a location designated by the Environmental Protection Agency. The Environmental Protection Agency shall be responsible for designating a responsible individual or agency who will replace and remove the filters from the second sampler. Vulcan will pay for the power used to operate both samplers. Both samplers shall be operated in accordance with the air sampling schedule which is set by

the Environmental Protection Agency, on a statewide basis, insofar as possible. The samples from both samplers shall be analyzed by the Vulcan laboratories located in Birmingham, Alabama. The Environmental Protection Agency will require that the individual or agency designated to maintain the second high-volume sampler return the samples to Vulcan for transmittal to and analysis by Vulcan's laboratories in Birmingham, Alabama. Both high-volume samplers herein designated shall be operated and maintained from April 1, 1974 through October 1, 1974.

It is further ordered that Vulcan Materials Company shall pay to the State of Illinois the sum of \$1,500.00 within 35 days from 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.

It is further ordered that Vulcan Materials Company shall post a performance bond in the amount of \$10,000 in a form satisfactory to the Agency and within 30 days of the date of the Board's order, to guarantee performance of the preceding orders.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 25<sup>th</sup> day of October, 1973, by a vote of 5 to 0.

Christan L. Moffett

