

ILLINOIS POLLUTION CONTROL BOARD
November 21, 1972

SHERWIN-WILLIAMS COMPANY)
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 v.) PCB 72-401
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 ENVIRONMENTAL PROTECTION AGENCY)
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OPINION AND ORDER OF THE BOARD (by Mr. Dumelle);

The Sherwin-Williams Company on October 10, 1972 filed a petition asking that its earlier variance to discharge mercury into two City of Chicago sewers be extended for an additional year with tighter limits. We grant the variance without hearing.

The earlier variance granted November 8, 1971 (PCB 71-111, 3PCB 37) permitted Sherwin-Williams to discharge mercury not in excess of 0.005 mg/l (compared to the standard of 0.0005 mg/l) not to exceed 10 lbs. per year. The instant petition asks that the 0.005 mg/l variance level be retained for discharges to the 115th Street sewer and that discharges to the Kensington Avenue sewer be tightened to 0.002 mg/l with total mercury releases not to exceed 5 lbs. per year.

Sherwin-Williams in the past year has thus reduced by 50% its discharge of this toxic metal to the environment and is to be commended. The verified petition describes Sherwin-Williams past actions in (a) substituting non-mercuric materials for phenyl mercuric acetate and similar compounds formerly used as fungicides and bactericides in latex paints; (b) testing and analyzing raw materials for mercury content; (c) switching from mercury cell caustic (65%) to diaphragm made caustic (25%) to avoid mercury contamination; (d) instituted strict handling practices for metallic mercury instruments; and (e) practiced a high degree of good housekeeping in order to minimize mercury discharges. Furthermore the Sherwin-Williams Company has retained the well-known consulting firm of Roy F. Weston, Inc. to study its metal discharges (including mercury) and to recommend further improvements which the Company is embarking upon.

The Agency, in its recommendation filed November 6, 1972 recommends the grant of the variance for an additional year with which we concur. We feel that the Sherwin-Williams Company has done an excellent and outstanding job in studying and correcting its mercury discharge problem in the short period since the grant of the initial variance.

ORDER

1. A variance is granted until November 6, 1973 from Rule 702 of the Water Regulations (Chapter 3) to permit discharges of mercury on a 24-hour composite basis not to exceed 0.005 mg/l into the 115th Street sewer and not to exceed 0.002 mg/l into the Kensington Avenue sewer; and not in excess of 5 lbs. per year as a total from all plant discharges.
2. Preliminary engineering plans and drawings for further mercury control shall be submitted to the Agency by December 18, 1972.
3. Detail design drawings and plans for further mercury control shall be submitted to the Agency by June 4, 1973.
4. Quarterly reports shall be submitted to the Agency setting forth progress being made toward full compliance with Rule 702 of Chapter 3 (Water Regulations).
5. Present efforts be continued to obtain the best possible control over mercury discharges.
6. Application for further extension of this variance shall be made at least 90 days prior to its expiration.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 21st day of November, 1972 by a vote of 5-0.


Christian L. Moffett, Clerk
Illinois Pollution Control Board