

ILLINOIS POLLUTION CONTROL BOARD
March 6, 1975

FAIRBURY STONE CO.)
)
 Petitioner)
)
 v.) PCB 74-463
)
 ENVIRONMENTAL PROTECTION AGENCY)
)
 Respondent)

INTERIM ORDER of the Board (by Mr. Zeitlin)

On December 11, 1974 Petitioner filed a Variance Petition from Rules 103(b), 202(b) and 203(b) of the Air Pollution Regulations. No hearing was held in this matter.

Petitioner, Fairbury Stone Company (Fairbury), operates certain facilities for the mining and processing of limestone in Livingston County. The individual processes include (a) primary crushing, secondary crushing by means of a hammer mill or a cone crusher, conveying, screening and handling, and (b) a Stedman milling process. The maximum rate of processing limestone is approximately 225 tons per hour. Fairbury proposed to begin the installation of a particulate emissions program in the form of a liquid spray dust suppression system. It would complete this program by August 15, 1975.

The Agency on February 7, 1975 filed a Recommendation to deny the variance. It pointed out that Petitioner must comply with Rule 203(a), not Rule 203(b). The Agency felt that a 90% efficiency would put all the sources at Fairbury in compliance with Rule 203(a) except for the Stedman load-out area. This is the area where trucks are loaded with limestone pulverized by the Stedman milling process, which account for approximately 30 tons per hour of the 225 tons per hour processed. The Agency objected on the grounds that additional measures be undertaken to control Stedman load-out emissions. It pointed out that other quarries have utilized either a three-sided wind screen to shield the truck load-out area or an auger type conveyor. In addition, the Agency felt the liquid spray dust suppression system could be completed by July 1, 1975, instead of August 15, 1975.

In a communication to the Board filed February 28, 1975, Petitioner stated that it now agrees to install the liquid spray dust suppression system by July 1, 1975. Further, Petitioner now states that it is engaged in discussions with the Agency regarding possible control systems for the Stedman load-out area. Petitioner also states that it expects to file an Amended Petition in the matter, covering those points, and has waived the 90 day rule.

The Board elects to treat this latter communication as a Motion for Leave to File an Amended Petition, correcting possible deficiencies in the Petition originally filed. The Board will grant such a motion, but will impose a 45 day limit on the time to be allowed for such filing. That period should provide ample time for petitioner to file a comprehensive petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify that the above Interim Order was adopted on the 6th day of March, 1975 by a vote of 4 to 0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board