

We grant Petitioner's variance. Petitioner's shortage of photochemically nonreactive solvents is not self-imposed. Petitioner has demonstrated good faith in its efforts to obtain satisfactory materials. To deny the variance would impose an arbitrary and unreasonable hardship upon this Petitioner.

The Federal Energy Office has established mandatory allocation of petrochemical feedstocks to petrochemical producers - including solvent manufacturers - in a quantity equal to 100 percent of the producers current requirements (Fed. Reg. Vol. 39, No. 10, Part III, Subpart 211J, January 15, 1974). Petitioner should utilize such exempt solvents as they become available.

ORDER

Petitioner is granted a variance from Rule 205(f) of Chapter Two through June 30, 1974, to use up to 2,400 gallons of nonexempt paint plus 5,100 gallons of photochemically reactive solvents for thinning 18,500 gallons of paint subject to the following conditions:

(a) Petitioner is required to utilize as much exempt solvent formulations as can be furnished by its suppliers.

(b) Petitioner must apply to the EPA for an Operating Permit within 30 days of the adoption of this Order.

(c) Petitioner must submit to the EPA within 90 days of the adoption of this Order a Program of Compliance to replace the initial Compliance Plan which has been affected by shortages of certain materials.

(d) Petitioner must submit monthly progress reports to:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Control Program Coordinator
2200 Churchill Road
Springfield, Illinois 62706

Said reports must contain:

- (i) Information on the amount of usage of exempt and non-exempt formulations during the period.
- (ii) Steps taken to achieve compliance either by use of exempt solvents or use of alternate technology.

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 7th day of March, 1974, by a vote of 5 to 0.


Christan L. Moffett, Clerk