

ILLINOIS POLLUTION CONTROL BOARD
July 21, 1994

MARATHON OIL COMPANY,)
)
 Petitioner,)
)
 v.) PCB 94-196
) (Provisional Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by C. A. Manning):

Pursuant to Section 35(b) of the Environmental Protection Act (Act) (415 ILCS 5/35(b)), Marathon Oil Company (Marathon) has requested that the Illinois Environmental Protection Agency (Agency) recommend that the Board grant a provisional variance to allow Marathon to continue operating during a period of modifications to its Fluidized Catalytic Cracking Unit (FCCU). Such request for a provisional variance and the Notification of Recommendation was filed with the Board by the Agency on Tuesday, July 19, 1994. Pursuant to Section 35(b) of the Act, the Board must issue the variance within two (2) days of this filing.

Specifically, the Agency recommends that we grant Marathon a twenty-five (25)-day provisional variance for its Crawford County facility from the air pollution regulations, as set forth in 35 Ill. Adm. Code 216.361, 216.100 and 201.401(a)(4), for the period commencing July 10, 1994, or until installation of the sonic soot blowers is completed, whichever comes first.

The Agency's provisional variance recommendation states that Marathon operates a petroleum refinery near the city of Robinson, Crawford County, Illinois. Marathon request to operate it's FCCU out of compliance with the carbon monoxide limitation requirements of 35 Ill. Adm. Code 216.361 and 216.100, as well as the continuous emission monitoring provision of 35 Ill. Adm. Code 201.401(a)(4), for a period of twenty-five (25)-days.

Upon receipt of the request, the Agency issued its recommendation, notifying the Board that due to unforeseen, temporary and uncontrollable circumstances, failure to grant the requested twenty-five (25)-day provisional variance would impose an arbitrary or unreasonable hardship on the petitioner.

Provisional variances are by their very nature temporary. The responsibilities of the Agency and the Board in these short-term provisional variances are different from the responsibilities in standard variances. (See 415 ILCS 5/35(b) & 36(c)). In provisional variances it is the responsibility of the Agency to make the technical determinations and finding of

arbitrary or unreasonable hardship. The Board's responsibility is to adopt a formal order, to assure the formal maintenance of the record, to assure the enforceability of the variance, and to provide notification of the action by a press release.

Having received the Agency recommendation notifying the Board that a denial of the requested relief would impose an arbitrary or unreasonable hardship, the Board hereby grants the petitioner a provisional variance from 35 Ill. Adm. Code 216.361, 216.100 and 201.401(a)(4) for the period commencing July 10, 1994, or until installation of the sonic soot blowers is completed, whichever comes first, subject to the following conditions:

1. The term of this provisional variance shall commence on July 10, 1994 when the petitioner, Marathon, initiates modifications to its plant, by installing new sonic soot blowers in its CO boiler unit, and it shall expire on the date the petitioner completes the required maintenance work and the boiler commences start-up, or after twenty-five (25) days have elapsed, whichever comes first;

2. The petitioner shall notify the Agency upon completion of the installation. The petitioner shall confirm this in writing within five (5) days, addressed as follows:

Illinois Environmental Protection Agency
Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control
P.O. Box 19276
Springfield, Illinois 62794-9276

3. FCCU regenerator operations will be promoted to raise the regenerator temperature as high as possible without upsetting the operation of the FCCU. Regenerator temperature should be maintained in the 1300-1320° fahrenheit range during the term of this provisional variance period.

4. During daylight hours, visible emissions readings shall be conducted for one-hour during each shift, by a certified opacity reader, during the provisional variance period.

5. Petitioner shall monitor regenerator temperature, and shall maintain records of the regenerator temperature and opacity readings for the duration of the provisional variance, such records shall be made available to Agency personnel upon request.

6. The petitioner shall execute a copy of a Certificate of Acceptance of this provisional variance and forward that

copy to the Agency addressed as is the written notice required in the above condition; the petitioner shall forward that copy within ten (10) days of the date of this order of the Board, and the Certificate of Acceptance shall take the following form:

CERTIFICATION

I (We), _____, hereby accept and agree to be bound by all terms and conditions of the order of the Pollution Control Board in PCB 94-196 , July 21, 1994.

Petitioner

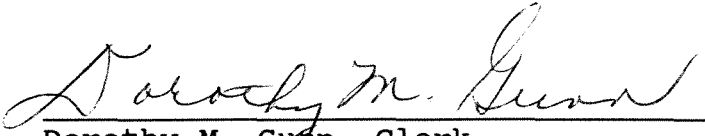
Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 21st day of July, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board