

ILLINOIS POLLUTION CONTROL BOARD
July 22, 1993

CONTINENTAL WHITE CAP, INC.,)
)
 Petitioner,)
)
 v.) PCB 92-155
) (Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

This matter comes before the Board on a joint motion to modify filed July 12, 1993 by White Cap, Inc. (White Cap), previously known as Continental White Cap, Inc., and the Illinois Environmental Protection Agency (Agency). By order of April 22, 1993 the Board granted White Cap a variance for up to one year from requirements of the Board's air pollution control regulations found at 35 Ill. Adm. Code 218.105, 218.205, 218.207, and 218.211. Grant of variance was contingent upon several conditions. White Cap and the Agency seek modification of condition (4).

Condition (4) as attached to the April 22, 1993 grant of variance provides:

(4) CWC shall develop a program that provides for the upgrade of the incinerator that controls emissions from the tandem coating lines 8A, 9A and PC10 and the incinerator that controls emissions from multiple coating lines C-6 and C-7 with a goal towards achieving a VOM loading destruction efficiency of 90 percent and shall submit the program to the Agency in writing for comment and approval by May 15, 1993. CWC shall complete this program, which includes the destruction efficiency testing, within ninety (90) days of receipt of the Agency's comments and approval of the program. CWC shall submit a written report of the test results within sixty (60) days of the destruction efficiency testing.

White Cap contends the it has complied with condition (4) in that it has developed a program that provides for upgrade of the

incinerators¹ #5 and #6 that control emissions from coating lines C-6 and C-7 and the tandem coating lines 8A, 9A, and PC10. White Cap further contends that this program was submitted to the Agency on May 11, 1993, also in accordance with condition (4).

However, White Cap submits that it has identified additional improvements that it wishes to make to incinerators #5 and #6, but that are no longer achievable under the original deadlines of condition (4). The improvements involve installing new catalyst blocks in the two incinerators. White Cap contends that completion of designs, obtaining construction permits, and receiving and installing the new blocks will require until January, 1994; only thereafter can the destruction efficiency tests and reporting requirement, as currently required by condition (4), be carried out.

White Cap contends that the additional improvements will upgrade the incinerators beyond that required pursuant to condition (4).

Accordingly, White Cap and the Agency request that condition (4) be modified to accommodate the additional improvements to incinerators #5 and #6.

The motion of White Cap and the Agency is hereby granted.

Normally when the Board modifies a variance, it reissues the whole variance with only the paragraph-at-issue changed. This is done so that a complete version of the active variance and its conditions continues to exist in a single document. The April 22 version of the instant variance was issued in such form, however, that simple repletion of paragraphs (3) and (5) would produce uncertainty whether compliance dates toll from April 22 or from today. Accordingly, some rephrasing of conditions (3) and (5) has also taken place to remove any potential ambiguity.

The Board notes that White Cap will need to submit a new Certificate of Acceptance to effectuate the variance as today granted. The April 22, 1993 version of the variance will terminate upon today's variance becoming effective.

ORDER

Petitioner, White Cap, Inc. (White Cap) (formerly known as Continental White Cap, Inc.), is hereby granted variance from 35 Ill. Adm. Code 218.105, 218.205, 218.207, and 218.211 for its

¹ White Cap refers in the pleading to the devices in question as both "afterburners" and "incinerators". The latter term is used herein in deference to the usage in the original condition (4).

facility located at 1819 North Major Avenue in Chicago, Illinois. This grant of variance is subject to the following conditions:

- (1) Variance terminates on July 1, 1993.
- (2) Condition (1) notwithstanding, if the United States Environmental Protection Agency makes its final determination on White Cap's federal implementation plan (FIP) amendment after July 1, 1993, variance terminates on the date of that final action or on April 22, 1994, whichever is earlier.
- (3) White Cap shall submit to the Agency, in writing, an operation and maintenance program for the coating line VOM control systems within 30 days after April 22, 1993. This program must address the operation and maintenance of the entire length of the coating lines starting from the applicators, including wash-up solvents, through the bake ovens and afterburners. The program must focus on minimizing VOM emissions along the coating lines and provide for continuous monitoring of the temperature rise across each catalytic afterburner bed.
- (4) White Cap shall develop a program that provides for the upgrade of the incinerator that controls emissions from the tandem coating lines 8A, 9A and PC10 and the incinerator that controls emissions from multiple coating lines C-6 and C-7 with a goal towards achieving a VOM loading destruction efficiency of 90 percent. White Cap shall submit the program to the Agency in writing for comment and approval by May 15, 1993. White Cap shall complete installation of modifications to the incinerators, including obtaining construction permits, by January 3, 1994. White Cap shall conduct destruction efficiency testing on the modified incinerators on or before March 1, 1994, and shall submit a written report of the test results to the Agency on or before April 22, 1994.
- (5) White Cap shall keep daily records of the following items starting on April 22, 1993:
 - (a) Amount of each coating used in each coating line;
 - (b) VOM content of each coating applied (lb. VOM/gal of solids);
 - (c) Required overall efficiency of the capture system and control device for each coating line pursuant to Section 218.105(e); and
 - (d) Weight of VOM per volume of coating solids applied daily on each coating line (VOMa, pursuant to Section 218.105(e)(2)).

(6) White Cap shall prepare a monthly report for Agency inspection on the daily records required in paragraph (4) above. The report must also demonstrate White Cap's compliance with Section 218.207(b)(2). White Cap shall submit one copy of the monthly compliance demonstrations on a quarterly basis to each of the following Agency offices:

Illinois Environmental Protection Agency
Bureau of Air
2200 Churchill Road, P.O. Box 19276
Springfield, Illinois 62794-9276
Attn: Permit Section Manager

Illinois Environmental Protection Agency
Division of Air Pollution Control
Intercontinental Center
1701 First Avenue
Maywood, Illinois 60153
Attn: Cezary Kryzmowski

Within 45 days of the date of this order, Petitioner shall execute and forward to Ann Zwick, Division of Legal Counsel, Illinois Environmental Protection Agency, 2200 Churchill Road, Post Office Box 19276, Springfield, Illinois 62794-9276, a Certification of Acceptance and Agreement to be bound to all terms and conditions of this variance. The 45-day period shall be held in abeyance during any period that this matter is being appealed. Failure to execute and forward the Certificate within 45 days renders this variance void and of no force and effect as a shield against enforcement of rules from which variance was granted. The form of said Certification shall be as follows:

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 92-155, July
22, 1993.

Petitioner

Authorized Agent

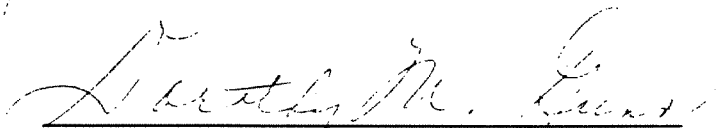
Title

Date

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act, 415 ILCS 5/41 (1992), provides for appeal of final orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motions for Reconsideration)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 23rd day of July, 1993, by a vote of 7-1.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board