

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1985

AMERICAN CAN CORPORATION
(HOOPESTON PLANT),

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB 84-106

DISSENTING OPINION (by B. Forcade):

I respectfully dissent from the majority in granting this VOM variance because the Order fails to impose alternative limitations to control VOM emissions.

The Board receives many variance requests for relief from the limitations of 35 Ill. Adm. Code 215.204, which establishes maximum pounds of VOM per gallon of coating material in coatings operations for various manufacturing processes. These limitations are designed to reduce the ozone problem in Illinois. Usually, the Board establishes some alternative VOM per gallon limitation that is achievable by petitioner and a plan for compliance. In today's Order no alternative limitation is established.

No alternative limitation was set here because the record did not contain sufficient information to establish such a limitation. I would have dismissed the Petition as inadequate.

Under today's precedent, it would appear that VOM petitioners who give the Board little or no information on their present ability to control emissions will receive more relief than those who make a full and candid disclosure.


Bill S. Forcade
Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted to me on the 31st day of January, 1985.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board