

ILLINOIS POLLUTION CONTROL BOARD  
January 24, 1985

NATIONAL CAN CORPORATION )  
(ROCKFORD PLANT), )  
 )  
Petitioner, )  
 )  
v. ) PCB 84-108  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by J. Marlin):

A petition for variance in PCB 83-175 was filed November 21, 1983 by National Can Corp. (National) requesting extension of the variance granted from 35 Ill. Adm. Code 215.204(b) in PCB 81-189, concerning VOC emissions from coating materials used in the beverage can manufacturing process in National Can's Rockford plant. An Agency recommendation was filed January 9, 1984. A waiver of hearing was filed January 24, 1984. The Board ordered this matter to hearing on February 3, 1984. The hearing was not immediately held.

Meanwhile, docket 84-108 was opened upon the filing on July 27, 1984 of a document captioned "Amended Petition for Variance", bearing number PCB 83-175. This matter was authorized for hearing August 2, 1984. A recommendation was filed October 2, 1984 without hearing being held.

Upon examination of these similar petitions, the Board dismissed PCB 83-175 but on its own motion incorporated the record in now-defunct PCB 83-175 into that of PCB 84-108 (PCB 83-175, 84-108, Order, November 8, 1984).

A hearing was held in Rockford, Illinois on December 5, 1984. No members of the public attended. As there appears to be an outstanding motion, the Board grants the Agency's motion to file its October 2, 1984 recommendation instant.

National operates a can making facility in Loves Park in an area that is primarily industrial with some residential housing. The plant manufactures metal cans utilized by the food and beverage industries. Included in the equipment located at National's Loves Park facility are four sanitary can lines, one 360 degree spray beer can line, and six end presses which apply end sealing compound. Each can line has an inside and outside seam stripe and the beer can line has an inside

spray. The foregoing equipment utilizes several types of coatings which contain volatile organic compounds (VOC). The VOC emissions from the can coatings were to meet the requirements of Section 215.204(b) by December 31, 1982. The prior variance granted to National expired on December 31, 1983. National requests a variance extension until December 31, 1985.

During the prior variance period, the end sealing compound was reformulated to a lower VOC content. Its use ceased in June, 1984 as a result of a customer complaint regarding inferior sealability. National has now returned to using the higher VOC content end sealing compound. The percentage of emissions at this facility is distributed as follows:

Interior Body Spray	27.9%
Side Seam Outside	1.9%
Side Seam Inside	.9%
End Sealing	69.3%

The end sealing compound operation has consumed, since 1980, approximately 67,000 gallons of coating material annually. During the first half of 1984, consumption has been 33,682 gallons. The Agency calculates that National is exceeding the end sealing compound VOC "emission limitation" by 27.6 tons/yr. (Ag. Rec. at 3). However, there is no "emission limitation". Rather, the rule limits the VOC content of the coatings themselves.

The 360 degree body spray operation has consumed, since 1980, approximately 17,500 gallons of coating material annually. Consumption during the first half of 1984 has been 2,450 gallons. The Agency calculates that National is exceeding the interior body spray VOC "emission limitation" by 21 tons/yr. (Ag. Rec. at 2).

There are two differing estimates as to annual excess VOC emissions. National calculates that the excess VOC levels declined in 1983 from 67 to six tons per year, but now have returned to 67 tons excess VOC per year (Am. Pet. at 2). The Agency calculates the excess to be 48 tons VOC per year (Ag. Rec. at 2-3).

Extensive testing is still needed for a reformulation of both the inside spray coating and the end sealing materials to a low VOC content. National believes that these reformulations will not be developed prior to December 31, 1985. Upon the failure of National to comply with the reformulation of the inside spray coat to RACT levels by that date, National will purchase and install a control device or devices for all noncomplying VOC emissions (Am. Pet. at 2-3). The capital cost of this equipment is \$300,000 with an annual operating cost of \$47,000. No control equipment is available

for the sealing process; coatings must be reformulated to a lower VOC content. National alleges that to immediately comply with the Board's regulations would be to impose an arbitrary or unreasonable hardship pursuant to Section 35 of the Act.

The Board notes that the Rockford area is an attainment area for ozone. The highest recorded ambient ozone concentration in 1983 was 0.108 ppm. National cites the Agency VOC emission inventory which places total VOC emissions in the Rockford area at 13,426 tons per year. National's excess VOC emissions of 67 tons per year would then represent 0.5 percent of the total Rockford emissions. Assuming a direct relationship between VOC emissions and ozone ambient air quality, the national ambient air quality standard would be exceeded if an additional 1,492 tons VOC per year were emitted in the Rockford area (Am. Pet. at 3). The Board recognizes that transport of ozone precursors over distance may cause ozone problems in other areas.

The Board finds that the granting of variance extension until December 31, 1985 will not significantly impact the environment and that to require immediate compliance would impose an arbitrary or unreasonable hardship on petitioner. The Board therefore grants National Can Corporation a variance extension from 35 Ill. Adm. Code 215.204(b) from December 31, 1983 until December 31, 1985.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

#### ORDER

National Can Corporation, Rockford Plant, is hereby granted variance from 35 Ill. Adm. Code 215.204(b) subject to the conditions below:

1. This variance shall begin on December 31, 1983 and expire on December 31, 1985.
2. During this variance period, National Can Corporation shall supply written quarterly updates to the Agency detailing the amounts of coating material used, the VOC content, the percentage over RACT for the period, all new coatings tested and their VOC content, weight, and RACT percentage.
3. National Can Corporation shall begin procedures for construction of a control device(s) on the body spray operation by the third quarter of the variance period if a compliance coating is not imminent at that time.

4. Within 45 days of the date of this Order, petitioner shall execute and forward to the Illinois Environmental Protection Agency, Air Pollution Control Division, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Acceptance and Agreement to be bound to all terms and conditions of this variance. This 45 day period shall be held in abeyance for any period this matter is being appealed. The form of the certificate shall be as follows:

CERTIFICATE

I, (We), \_\_\_\_\_ having read the Order of the Illinois Pollution Control Board in PCB 84-108, dated \_\_\_\_\_, understand and accept the said conditions thereto binding and enforceable.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
By: Authorized Agent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

IT IS SO ORDERED.

Board Member Bill S. Forcade dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 24th day of January, 1985 by a vote of 4-1.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution  
Control Board