

ILLINOIS POLLUTION CONTROL BOARD
May 3, 1973

SWIFT EDIBLE OIL COMPANY

v.

ENVIRONMENTAL PROTECTION AGENCY

PCB 73-102

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

Petition for variance was received March 9, 1973 to operate a pilot project at Champaign to dry and cool soybeans in two "farm type" batch dryers for a two week period at 300 bushels per hour, 16 hours per day and five days per week. The petitioner alleges that the beans are clean and that only soybean hulls in small quantity would be discharged without public injury.

The Agency estimates that 54 lbs./hr. of particulate would be emitted but does not contrast that with whatever is permitted under Rule 3-3.111. Thus the Board has no comparison before it. The Agency further points out that no complaints were received from the public on a similar pilot run last summer. It goes on to recommend dismissal without prejudice stating that the drying period would be from March 26 to April 6 which are dates already past at the time of the Agency filing of its recommendation on April 19.

We do not know on this record whether or not Swift did in fact dry during the dates the Agency said it would. The variance may now be moot but we feel that research into grain drying is badly needed in Illinois (see R72-17 and R72-18 proposed regulations authorized for publication on this date) and ought to be encouraged. In addition, Swift may need a shield from prosecution if it has already operated the dryers.

Variance is granted from Rule 3-3.111 until June 30, 1973 for a two weeks period of pilot soybean drying commencing March 26, 1973.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 3RD day of May, 1973 by a vote of 4-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board