

ILLINOIS POLLUTION CONTROL BOARD
August 22, 1984

ENGINEERED COATED PRODUCTS, INC.,)
)
Petitioner,)
)
v.) PCB 84-50
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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

On April 2, 1984, Engineered Coated Products, Inc., (Engineered) filed a Petition for Variance for its facility which coats and laminates high performance, pressure sensitive adhesive tapes for use in the automotive and major appliance industries. Specifically, Engineered requests variance from 35 Ill. Adm. Code 215.204(c) [(formerly Rule 205(n)(1)(C) of Chapter 2)] until November 15, 1984. That regulation contains the emission limitation for operations such as Engineered's. Attendant to that rule are Sections 215.211 and 215.212 which contain the relevant compliance plan requirements and compliance date of December 31, 1983. Variance from these regulations was already granted by the Board in Engineered Coated Products, Inc. v. Illinois Environmental Protection Agency (PCB 82-2; 49 PCB 213) on October 28, 1982 until April 1, 1984. Engineered is now seeking to extend variance until November 15, 1984.

On May 3, 1984, the Board ordered Petitioner to file additional information. On May 29, 1984, Petitioner filed an Amended Petition for Variance with the Agency. The amended petition requested the incorporation of the prior record in the case of PCB 82-2 Engineered Coated Products Inc., v. Illinois Environmental Protection Agency. The Illinois Environmental Protection Agency filed its Recommendation on June 27, 1984. A hearing was held on July 9, 1984. No members of the public were present and no public comments have been received by the Board in this matter.

Petitioner owns and operates a facility at 2800 Shermer Road, Northbrook which coats and laminates high performance, pressure sensitive adhesive tapes for use in the automobile and major appliance industries. Included in Petitioner's facility is one coater/laminator machine which applies adhesives to paper, foil, film, and other miscellaneous materials. After application of the adhesives, the materials are dried in a gas-fired oven. Petitioner utilizes in excess of 40 different adhesives which contain volatile organic material (hereinafter, "VOM"). Section

215.204(c) requires that the VOM content in Petitioner's adhesives be limited to 2.9 lb/gal (0.35 kg/l).

In 1983, Petitioner applied 670,616 pounds of adhesives. The resultant VOM emissions were 332,869 lb/yr or 166 ton/yr. Petitioner's allowable VOM emission rate for 1983 was 135 ton/yr. Thus, the 1983 emissions exceeded the allowable limitation by approximately 23%. (Am. Pet.)

The compliance plan envisioned by Petitioner during its previous variance sought to replace its high VOM adhesives with other adhesives having lower VOM contents. To date, Petitioner's reformulation program has been only partially successful. Since 1981, it has reduced the average VOM content of its adhesives from 3.9 lb/gal to 3.56 lb/gal. Petitioner does not believe, however, that it will be able to further reduce to the required 2.9 lb/gal limitation in the immediate future. For that reason, Petitioner is now planning to achieve compliance in accordance with Section 215.205, Alternative Emission Limitations, by installing a catalytic afterburner with a destruction efficiency of at least 95%. The specifics of Petitioner's compliance program are as follow:

May 15, 1984	Place purchase order
June 15, 1984	Commence construction
October 15, 1984	Complete construction
November 15, 1984	Demonstrate compliance

The cost of the controls will be approximately \$164,000.

The Agency is of the opinion that Petitioner's compliance program will bring it into compliance in an expeditious manner. The Agency does not necessarily believe, however, that the installation of an afterburner is the most environmentally sound means of achieving compliance. In addition to being extremely costly to install and operate, afterburners also consume vast amounts of sometimes scarce natural gas. Afterburners also produce emissions of nitrogen oxides which are a major factor in the formation of acid rain and ozone. Moreover, pursuant to the provisions of Section 215.106, the afterburners would only have to be operated seven months a year. Thus the annual VOM emissions are likely to be greater if afterburners are utilized to achieve compliance than if reformulation is utilized. For that reason, the Agency believes that efforts to develop low solvent coating technology should be encouraged. The Board notes that VOM emissions in non-ozone season months are not a relevant issue.

Petitioner's facility is located in a mixed commercial/residential area. The nearest residences are approximately 800 feet west of the facility. The Agency has received no complaints from area residents concerning Petitioner's variance request.

The emissions in question are volatile organic materials which contribute to the formation of ozone. High levels of ozone can have adverse health effects on the elderly and persons with respiratory and cardiac problems. The Agency believes, however, that the extension of the compliance deadline sought by Petitioner should not cause any increased health effects. During the period of the variance, Petitioner will be expected to comply with its episode action plan which requires reductions of emissions during periods of high ozone concentration.

Petitioner's facility is located in an area which has been classified as nonattainment for ozone. The closest ozone monitoring stations are located in Arlington Heights which is approximately eight miles to the southwest and in Skokie which is approximately seven miles to the southeast. In 1983 the primary ambient air quality standard for ozone of 0.12 ppm was not exceeded at either monitor.

For the following reasons, the Board agrees that a denial of the requested variance would constitute an arbitrary and unreasonable hardship:

- a. Petitioner has been diligently working to reduce its VOM emissions for several years.
- b. The Agency believes that Petitioner's present efforts to achieve compliance will be equally as diligent.
- c. During the variance period, the facility would still be subject to the episode regulations contained in Section 244 during periods of high ambient ozone levels.

The Agency does not disagree with any factual allegation contained in Petitioner's Petition for Variance or in the Amendments thereto.

In accordance with the provisions of Section 35 of the Act, as amended August 2, 1978, by P.A. 80-1299, Ill. Rev. Stat., Chapter 111 $\frac{1}{2}$, Section 1035, the Board may grant variances only if they are consistent with the provisions of the Clean Air Act 42 U.S.C. 7401, et. seq. In the present case, Petitioner's control program is identical to one that Petitioner has agreed to implement pursuant to a Consent Order entered into with the United States Environmental Protection Agency. (See "Exhibit 1") (Rec. 4)

For that reason, the Board grants Petitioner variance from Section 215.204(c) and the attendant compliance rules, subject to conditions set out in the order. Variance is granted until December 15, 1984 although Petitioner expects to achieve compliance on or about November 15, 1984. The additional month is allowed so that any unanticipated difficulties can be corrected during the term of the variance.

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

ORDER

Petitioner, Engineered Coated Products, Inc., is hereby granted a variance for its coating and laminating facility located in Northbrook, Illinois, from April 1, 1984 until December 15, 1984 from 35 Ill Adm. Code 215, Section 215.204(c) (formerly Rule 205(n)(1)(C) of Chapter 2) and Sections 215.211 and 215.212 subject to the following conditions:

a. On or before November 15, 1984, Petitioner shall perform a stack test on its afterburner in accordance with the special condition set forth in Construction Permit #84050016. Petitioner shall notify the Agency of the date of said stack test at least 14 days prior to the test, and the Agency shall be allowed to witness the test and review all test data. Notification shall be made to the Agency at the following addresses:

Environmental Protection Agency
Division of Air Pollution Control
Control Programs Coordinator
2200 Churchill Road
Springfield, Illinois 62706

Environmental Protection Agency
Division of Air Pollution Control
Region 1, Field Operations Section
1701 South First Avenue
Maywood, Illinois 60153

b. On or before December 15, 1984, Petitioner shall apply to the Agency for all requisite operating permits.

c. Within 45 days of the Board's Final Order herein, Petitioner shall execute a Certification of Acceptance and Agreement to be bound to all terms and conditions of the variance. Said Certification shall be submitted to the Agency at the addresses specified in Paragraph (a), supra. The 45 day period shall be held in abeyance during any period that this matter is being appealed. The form of Certification shall be as follows:

CERTIFICATE

I, (We), _____, having read the Order of the Illinois Pollution Control Board in PCB 84-50, dated August 22, 1984, understand and accept the said Order, realizing that such acceptance renders all terms and

conditions thereto binding and enforceable.

Engineered Coated Products, Inc.

By: Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 22nd day of August, 1984 by a vote of 6-0.

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