

ILLINOIS POLLUTION CONTROL BOARD  
December 1, 2005

IN THE MATTER OF: )  
)  
PROPOSAL OF VAUGHAN & BUSHNELL ) R06-11  
MANUFACTURING COMPANY OF ) (Rulemaking – Noise)  
AMENDMENT TO A SITE-SPECIFIC RULE )  
35 ILL. ADM. CODE 901.121 )

ORDER OF THE BOARD (by T.E. Johnson):

On October 20, 2005, the Board received a rulemaking proposal submitted by Vaughan & Bushnell Manufacturing Company (V&B) pursuant to Section 27 of the Illinois Environmental Protection Act (Act). 415 ILCS 5/27 (2004). V&B seeks a site-specific rule amending a previously promulgated site-specific noise rule that would extend the allowable operational levels of its forging facility located at the intersection of Davis and Main Streets, Bushnell in McDonough County. The petition was accompanied by a motion to waive the 200-signature requirement of 35 Ill. Adm. Code 102.202(f).

V&B manufactures striking tools, and owns and operates a forging shop built in 1940 in Bushnell (facility). Pet. at 1,6. The facility consists of ten drop hammers capable of producing up to 2,500 lbs. of force in the production of striking tools. Pet. at 1. The facility is V&B's primary production facility, and is located in an area of Bushnell that is primarily industrial. Pet. at 1-2. V&B is the largest employer in Bushnell, currently employing 230 people. Pet. at 6.

V&B asserts that currently the land uses in the immediate area, in addition to industrial, are agricultural, residential, rail transportation and vacant land. Pet. at 2. V&B asserts that because the facility has received a site-specific rule with regard to sound emissions, the Board's noise regulations have generally not been applicable. *Id.* V&B contends that it is seeking an amendment to the previously promulgated rule that will establish a 24-hour period of operation. *Id.* V&B proposes that the site-specific rule amend the current rule at 35 Ill. Adm. Code 901.121. Pet. at 2-3.

In its statement of reasons, V&B asserts that the predominate industrial character of the area surrounding the facility creates heavy truck, vehicle and train traffic that combine to create an abundance of noise far in excess of the noise created by V&B at the facility. Pet. at 5. V&B asserts that due to the substantial heat created during the forging process, the facility requires extensive ventilation provided by a process called "natural cooling" in which doors to the outside are opened. Pet. at 7. V&B contends that sound emission is a consequence of the forging industry, and that although there have been advances in technology, such changes have not adequately replaced the "natural cooling" system that most forging shops utilize. Pet. at 8.

V&B asserts that placing sound barriers around the facility would have the side effect of reducing the air flow needed from the "natural cooling" of the shop, and that ventilation systems placed in or around the furnaces cost upwards of \$500,000 each and would not permit the

complete closure of the side openings as fresh air must be permitted to enter the shop. Pet. at 8. V&B argues that technological advances in the forging industry have not created an economically reasonable alternative to the “natural cooling” system used by most forging shops and that neither sound barriers nor ventilation systems are economically reasonable. Pet. at 8,10.

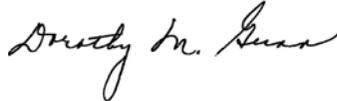
V&B asserts that the facility complies with the applicable Board sound emission standards and limitations and that it does not, therefore, have an adverse environmental impact on the area. Pet. at 10.

V&B’s proposal, including its statement of reasons and the full text of the proposed rule language, is available through the Clerk’ Office in Chicago (312-814-3620) and on the Board’s Web site ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)) using the Clerk’s Office On-Line or “COOL.”

The Board grants V&B’s motion to waive the signature requirement, and accepts the proposal for hearing. However, a review of the proposal reveals that V&B did not address the applicability of or provide the information requested in the “published study or report” requirement of Section 102.210(c). 35 Ill. Adm. Code 102.210(c). *See also* 35 Ill. Adm. Code 102.202(k). The Board requests that V&B address Section 102.210(c), or its inapplicability, in writing prior to any hearing scheduled in this proceeding at such time as directed by the hearing officer. The assigned hearing officer is directed to proceed expeditiously under the rulemaking provisions of the Act (415 ILCS 5/27, 28 (2004)) and the Board’s procedural rules. 35 Ill. Adm. Code 102.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 1, 2005, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board