

ILLINOIS POLLUTION CONTROL BOARD
August 21, 1980

ALLIS-CHALMERS,)	
)	
Petitioner,)	
)	
v.)	PCB 80-85
)	
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by I. Goodman):

This petition was filed before the Board on April 21, 1980 by Allis-Chalmers, Incorporated (Allis-Chalmers) and requested variance from Rule 205(k) of Chapter 2 of the Board's Air Pollution Control Rules and Regulations. No hearing was held in this matter and the Board has received no public comment.

Allis-Chalmers requests variance from Rule 205(k)'s compliance date of July 1, 1980 for a vapor degreaser located at its Engine Division facility in Harvey, Illinois. Variance is requested from July 1, 1980 up to and including December 31, 1980. The degreaser is used for cleaning diesel nozzle parts and it currently emits 21.4 pounds per hour of trichloroethane. In its Recommendation the Agency points out that Allis-Chalmers has been unable to meet the compliance date due to a backlog in production of the degreasing control equipment caused by current demand for the device. In addition, the degreaser, a custom designed unit, requires time for fabrication at the time of installation. The Agency states that granting this variance will not result in any significant harm to the environment.

The Board finds that denial of the proposed variance would create an arbitrary and unreasonable hardship upon Allis-Chalmers, especially considering the good faith efforts put forth by the company to comply with the regulation and the lack of any significant harm to the environment. The Board shall, therefore, grant variance from Rule 205(k) from July 1, 1980 up to and including December 31, 1980 for the facility. The Order of the Board of July 24, 1980 is hereby rescinded.


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

ORDER

It is the Order of the Illinois Pollution Control Board that Allis-Chalmers, Incorporated be granted variance from Rule 205(k) of Chapter 2 of the Board's Air Pollution Control Rules and

Regulations for a vapor degreaser located in its Engine Division facility at Harvey, Illinois from July 1, 1980 up to and including December 31, 1980.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 21st day of August, 1980 by a vote of 5-0.



Christan L. Moffett Clerk
Illinois Pollution Control Board