

ILLINOIS POLLUTION CONTROL BOARD
October 9, 1975

ENVIRONMENTAL PROTECTION AGENCY,)
Complainant,)
)
v.) PCB 75-161
)
FRANK FOUNDRIES CORPORATION,)
an Iowa Corporation,)
Respondent.)

Mrs. Joan C. Wing, Assistant Attorney General, Appeared on behalf of Complainant;
Mr. Daniel S. Churchill, Churchill and Churchill, appeared on behalf of Respondent.

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

This matter comes before the Pollution Control Board (Board) upon the April 15, 1975, Complaint of the Environmental Protection Agency (Agency) which charges the Respondent, Frank Foundries Corporation (Frank), with violating Rule 103(b)(2) of the Air Regulations and Section 9(b) of the Environmental Protection Act (Act). A hearing was held on July 10, 1975, and a "Stipulation of Facts and Agreed Settlement" was filed September 18, 1975.

Frank, an Iowa Corporation qualified to do business in Illinois, owns and operates a gray iron foundry in Moline, Rock Island County, Illinois. The Moline facility consists of two cupolas, four sand mullers, a shakeout area, a shot blast area, and a grinding area. The cupolas serve as the supply source of molten cast iron that is poured into sand molds to produce gray iron castings. They are operated singly on an alternate day basis and have one Environeering Incorporated wet scrubber system. The cupola stacks do not contain afterburners for carbon monoxide control.

Frank has applied for an operating permit several times since April 1, 1974. However, either due to lack of information or carbon monoxide emissions in excess of Rule 206(e) of the Air Regulations, each permit application has been denied. The Agency notified Respondent several times that it was operating in violation of the Air Regulations due to its failure to obtain an operating permit.

Frank had petitioned the Board for variance from Rule 206(e) while trying to control its carbon monoxide emissions. The Respondent's variance petition was dismissed in April of 1975.

Respondent, in its stipulation, admits that it has operated its foundry facility since December 1, 1972, without having received an operating permit from the Agency as required by Rule 103(b)(2) of the Air Regulations and therefore in violation of Section 9(b) of the Act.

Frank has spent approximately \$465,000 for particulate and carbon monoxide control since 1970 (R.15). In addition, Frank agrees to install an afterburner system to bring the cupola operation into compliance with Rule 206(e). Respondent further agrees to obtain all necessary construction and operating permits. For its violation of Rule 103(b)(2) of the Air Regulations and Section 9(b) of the Act, Frank has stipulated to a penalty of \$3,000.

The Board accepts the stipulation and settlement of the parties and finds Respondent to have violated Rule 103(b)(2) of the Air Regulations and Section 9(b) of the Act since December 2, 1972. The Board assesses the stipulated penalty of \$3,000.00 for said violations.

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

ORDER

It is the Order of the Pollution Control Board that:

- 1) Respondent, Frank Foundries Corporation, is found to have violated Rule 103(b)(2) of the Air Regulations and Section 9(b) of the Environmental Protection Act, since December 1, 1972; and
- 2) Respondent shall apply for and obtain a construction permit for installation of an afterburner system for its cupolas within 90 days of this Order. Said system shall be designed to bring the operation of the cupolas into compliance with Rule 206(e) of the Air Regulations; and
- 3) Respondent shall apply for an operating permit within 10 days of the afterburner being installed and operational, and obtain said operating permit for its gray iron foundry facility within 180 days of the date of the receipt of a construction permit for said afterburner system; and

4) Respondent shall pay as a penalty for the aforementioned violations the stipulated sum of \$3,000.00, payment to be made within 35 days of receipt by Respondent of this Order by certified check or money order to:

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

Mr. Henss Abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 9th day of October, 1975 by a vote of 3-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board