

ILLINOIS POLLUTION CONTROL BOARD
February 14, 1975

SAMUEL BINGHAM COMPANY,)
Petitioner,)
)
)
v.) PCB 74-426
)
)
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent,)

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

Samuel Bingham Company, (hereinafter "Petitioner") filed a petition on November 18, 1974 which sought to extend a previously granted variance from Rule 205(f) of the Air Pollution Regulations. The Environmental Protection Agency (hereinafter "Agency") filed a recommendation on February 5, 1975 to grant the variance subject to certain conditions. No hearing was held.

Petitioner operates a facility located in Franklin Park, where it manufactures rubberized rollers for the printing and graphic arts industries. Approximately 95 pounds per hour of a photochemically reactive hydrocarbon, toluene, are emitted from Petitioner's manufacturing process which utilizes a soaking tank, three mixers, and three coating/spreading machines. On February 21, 1974 the Board granted Petitioner a one year variance from Rule 205(f) of the Air Pollution Regulations which allowed Petitioner to continue using toluene in excess of numerical limitations (Samuel Bingham Company v. EPA, 11 PCB 361 (February 21, 1974)). In the prior proceeding, Petitioner proposed a complete switch from photochemically reactive solvents to exempt non-photochemically reactive solvents thereby achieving compliance with Rule 205(f). Petitioner was granted the previous variance because of problems in obtaining exempt solvents.

Petitioner again alleges that sufficient quantities of these exempt solvents are unavailable and therefore is requesting a one year extension of its variance. Because of the questionable availability of exempt solvents in the future, Petitioner has begun to install a carbon absorption unit designed to absorb 99+% of hydrocarbons exhausted.

Petitioner has installed hoods and enclosures over the emission sources and estimates that the entire project will be completed by February of 1976. The Agency stated that it believes that Petitioner's proposed control system will enable Petitioner to comply with the requirements of Rule 205(f) of the Air Pollution Regulations and that the stated time schedule for completion of the project is reasonable.

The Board finds that because of the lack of objections to the previous variance and the present proceeding, the industrial location of Petitioner's facility, and the control program being instituted by Petitioner, a variance should be granted. In addition, the Agency states that Petitioner will continue to utilize all available exempt solvents in an effort to minimize the non-compliance.

The utilization of non-photochemically reactive solvents during the duration of this variance is to be encouraged because of the role that photochemically reactive hydrocarbons occupy in the formation of ozone. For this reason, the Board would require that Petitioner, to the maximum extent possible, utilize available non-photochemically reactive solvents during the months of May through October. While compliance with Rule 205(f) is important throughout the year, compliance during months May through October is especially important when ambient levels of ozone have occurred beyond existing standards.

This Opinion constitutes the Board's findings of facts and conclusions of law.

Mr. Henss dissents.

ORDER

The Pollution Control Board, hereby grants the Samuel Bingham Company a variance from Rule 205(f) of the Air Pollution Regulations until February 21, 1976 subject to the following conditions:

1. Petitioner shall continue to use as much non-photochemically reactive solvents as possible, especially between May and October, inclusive.
2. Petitioner shall apply and obtain all necessary construction and operating permits from the Agency.
3. Petitioner shall submit a revised compliance plan to the Agency by March 3, 1975 which shall detail a program for achieving compliance with Rule 205(f) of Air Pollution

Control Regulations. Said compliance plan shall be submitted to:

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

4. Petitioner shall execute a Performance Bond in a form acceptable to the Agency in the amount of \$1,000. The purpose of this bond is insure timely installation of the hydrocarbon vapor recovery system. Said bond shall be submitted to:


Environmental Protection Agency
Fiscal Services
2200 Churchill Road
Springfield, Illinois 62706

5. Petitioner shall submit monthly written progress reports to the Agency detailing progress made toward completion of the control system as well as amounts of exempt solvents and toluene used. Said reports shall be sent to:

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

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 14th day of February, 1975 by a vote of 3-1.


Christan L. Moffett, Clerk
Illinois Pollution Control Board