

ILLINOIS POLLUTION CONTROL BOARD
May 8, 1975

TRW, INC., Cinch Divisions,)
)
) Petitioner,)
)
) vs.) PCB 75-30
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

HARVEY M. SHELDON, Attorney for Petitioner
PETER ORLINSKY, Attorney for Respondent

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

TRW appeals from the Agency denial of operating permits for certain automatic plating lines and metal plating facilities at Petitioner's Homan Avenue facility. In the alternative, if the permits are not issued, TRW seeks variance from Rule 204(f) (2) of the Air Pollution Control Regulations in order to allow sufficient time for reduction of sulfuric mist emissions consistent with that Rule.

TRW, Inc., Cinch Divisions, owns and operates a facility at 1026 South Homan Avenue, Chicago, Illinois for the manufacture of various kinds of electrical connectors. Operations at this facility primarily involve metal finishing and plastic molding. Approximately 30,000 lbs. of metal contacts and 20,000 lbs. of plastic products are produced each month.

Permit applications for Petitioner's Acid Cleaner Operation, Brite Dip and Tin Plating Operation were denied by the Agency on December 10, 1974 on grounds that these operations would emit sulfuric acid mist in excess of the rate permitted under Rule 204(f) (2).

When this matter went to hearing, the parties submitted a Stipulation for an Agreed Order. As the Stipulation notes, the Board adopted amendments to Rule 204(f) (2) of the Air Pollution Control Regulations on March 26, 1975 (effective April 24, 1975). The effect of these amendments was to moot Petitioner's need for variance after the effective date of the amendments.

The parties agree that the Petitioner's description of its activities, as outlined in Paragraphs 1 through 11, 17 and 18 of the Petition, is accurate and that emission data contained in the Petition is substantially correct. The Agency believes that Petitioner's emissions are in conformity with amended Rule 204(f)(2). With this understanding, the Agency expresses its willingness to grant operating permits to Petitioner upon formal resubmission of operating permit applications.

It is further stipulated by the parties that it would be an arbitrary and unnecessary hardship for Petitioner to cease operations pending issuance of operating permits by the Agency. No public objection has been raised to the grant of this variance. There is no substantial evidence of nuisance or other conditions of air pollution resulting from the operation of these sources.

The solution agreed to by the parties is acceptable to the Board.

This Opinion constitutes the findings of fact and conclusions of law of the Illinois Pollution Control Board.

ORDER

It is the Order of the Pollution Control Board that:

1. TRW, Inc., Cinch Divisions, is granted variance from Rule 204(f)(2) of the Air Pollution Control Regulations from January 22, 1975 until April 24, 1975.

2. Petitioner is granted variance from Rule 103(b) of the Air Pollution Control Regulations to operate its Brite Dip, Tin Plating and Acid Cleaner Operations at its Homan Avenue facility until the earlier of 120 days from the date of this Order, or until the Agency acts to grant or deny operating permits for these operations. Variance from Rule 103(b) is conditioned upon the resubmission by Petitioner to the Agency by June 7, 1975 of complete operating permit applications for each of said operations.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 8th day of May, 1975 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board