

ILLINOIS POLLUTION CONTROL BOARD

May 3, 1973

AMERICAN LIMESTONE DIVISION, AMERICAN)
SMELTING AND REFINING COMPANY,)
)
Petitioner,)
)
vs.) PCB 73-98
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

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

Petitioner operates a quarry located south of Jonesboro in Union County, Illinois. At the present time emissions from its limestone crushing operation exceed the levels permitted under Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution and Rule 203(a) and 203(c) Chapter 2, Part II of the Pollution Control Board Regulations. In order to achieve compliance with the latter Rules Petitioner would apparently have to: reduce emissions from one of its cleaning, conveying and handling points from 160 lbs. per hour to 26.3 lbs. per hour; reduce emissions from the fines mill from 720 lbs. per hour to 32.5 lbs. per hour; and reduce emissions from a third point involving screening, conveying and handling from 240 lbs. per hour to 32.5 lbs. per hour. Petitioner plans to install enclosures with water sprays as its control devices and has received a construction permit from the EPA for this installation. The variance is requested until July 15, 1973.

The limestone company gives the following reasons for requesting the variance:

- 1) It was not until February 1973 that a decision had been made on types of materials and equipment to standardize dust controls in the various plants operated by Petitioner.
- 2) Procurement of the materials necessary for the dust control facilities would not be completed until April or May 1973.

- 3) The slack period at the Jonesboro quarry is between late May and late August and it would be most convenient and save a considerable amount of lost production and money if the construction could take place between late May and July 15, 1973.

The EPA investigation indicated that emissions currently are minimal since the stone contained 6 to 8% moisture caused by recent rains. The EPA had received no complaints from residents living near the quarry. Nevertheless, the Agency has recommended that the variance be denied on the grounds that Petitioner has failed to prove that immediate installation of control equipment would cause an unreasonable hardship.

What this amounts to is a request for a 2 1/2 month delay in the start of construction. We do not feel that is a serious delay especially in this exceptionally wet spring when emissions are reduced by natural precipitation. The Petitioner has shown a good faith effort to proceed ahead with the installation of control devices. On balance, it seems reasonable to accept a slight delay when this will facilitate the standardization of control equipment among the various plants, reduce the amount of lost production and save money. Let it be said that we do not grant variances for the "convenience" of Petitioners, but that in this particular case Petitioner's case is based upon more than an inconvenience.

ORDER

It is ordered that:

Petitioner is granted a variance from Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution and from Rule 203(a) and 203(c) of Chapter 2, Part II Pollution Control Board Regulations until July 15, 1973. During the period of the variance Petitioner shall proceed with the installation of control equipment and control facilities for the purpose of complying with the emission standards by July 15, 1973.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify the above Opinion and Order was adopted on this 3rd day of May, 1973 by a vote of 4 to 0.


Christan L. Moffett