

ILLINOIS POLLUTION CONTROL BOARD

August 23, 1973

OTTAWA SILICA COMPANY,)
AMERICAN DIVISION,)
)
Petitioner,)
)
vs.) PCB 73-222
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

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

Petitioner mines, dries and screens high quality silica near Utica in LaSalle County, Illinois. The finished product is utilized by manufacturers primarily for foundry sand. Eight men are employed at this site which has generated net annual profits of about \$10,000 in recent years.

The exhaust from the 60 ton per hour rotary drier passes through three parallel cyclones and then through a 40' stack which vents to the atmosphere. A February 1973 stack test showed Petitioner's particulate emissions to be 226 lbs. per hour. The allowable rate under Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution is 46.3 lbs. per hour. Since Ottawa Silica was not in compliance with particulate emission limitations on the effective date of the new Air Pollution Control Regulations, they will be required to comply with Rule 203(a) which on December 31, 1973 limits particulate emissions from Petitioner's process to about 22.6 lbs. per hour.

Recognizing their obligation, Ottawa Silica requested and received Agency approval on April 30, 1973 for construction of control equipment for the particulate emissions from the rotary drier.

After receipt of the EPA permit, events forced an alteration in the Company's original plans. System modification reduced particulate emissions to about 40% of the level originally identified. A better constructed and lower maintenance scrubber was found. A major customer accounting for 30% of Petitioner's annual sales was lost. In view of these developments, Petitioner filed a May 25, 1973 variance petition asking for relief from Rule 3-3.111 until November 30, 1973.

Petitioner estimates that delivery of the scrubber components will require at least 12 weeks and that construction and testing will require a minimum of 5 additional weeks. Although exact project cost figures were not made available, both parties indicated that the investment will be in the neighborhood of Petitioner's annual net profit.

The Agency is of the opinion that the proposed scrubber could bring Petitioner's operation into compliance and recommends approval of the variance subject to certain conditions. We shall grant the variance subject to those conditions since we believe Petitioner has presented adequate proof of need for variance. To decide otherwise might cripple Petitioner financially.

ORDER

It is the Order of the Board that:

The Ottawa Silica American Division near Utica, Illinois be granted a variance from Rule 3-3.111 of the Rules and Regulations Governing the Control of Air Pollution until November 30, 1973 for the purpose of installing and testing a scrubber system designed to achieve compliance with Rule 203(a) of the Air Pollution Control Regulations. The variance is subject to the following conditions:

- a. Petitioner shall apply for and obtain all necessary permits for the installation of the scrubber.
- b. Petitioner shall submit monthly progress reports to the Environmental Protection Agency. Said progress reports shall commence on September 24, 1973 and shall provide details of Petitioner's progress toward completion of the scrubber installation program. The first progress report shall contain a schedule for installation of the scrubber system.
- c. Petitioner shall, by September 28, 1973, post a bond in the amount of \$2,000 in a form acceptable to the Environmental Protection Agency, such bond to be forfeited in the event Petitioner fails to install and operate the scrubber. The bond shall be mailed to: Fiscal Services Division, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706.

- d. Within 30 days of the completion of the scrubber project, Petitioner shall have performed a stack test. Results of the stack test shall be submitted to the EPA as soon as they are available to Petitioner. Petitioner shall notify the Agency 5 days prior to the stack test indicating the time and place of said test and shall allow Agency personnel to observe said test if they so desire.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 23rd day of August, 1973 by a vote of 3 to 0.

Christan L. Moffett

