

ILLINOIS POLLUTION CONTROL BOARD

September 5, 1974

HAMMOND ORGAN COMPANY, )  
Petitioner, )  
v. ) PCB 74-199  
ENVIRONMENTAL PROTECTION AGENCY, )  
Respondent. )

OPINION AND ORDER OF THE BOARD (by Dr. Odell)

Petitioner manufactures, assembles, paints, and oven-dries organ cabinets. It filed on May 28, 1974, its Variance request from Rule 205(f) of the Air Pollution Regulations (Chapter Two). An amendment to the Petition was submitted on June 12. The Variance was requested until December 31, 1974. Hammond Organ is located in a mixed industrial and residential neighborhood at 5008 West Bloomingdale, Chicago, Illinois. Approximately 265 individuals work at the facility. Petitioner alleged that compliance under Rule 205(f)(2)(D) was not possible in that suitable solvents could not be obtained to reduce organic emissions to less than 20% by volume in its manufacturing operations. Hammond Organ intends to convert to exempt solvents to comply with Rule 205(f). Petitioner alleged that although exempt solvents are in short supply, reformulation and conversion should be completed by the end of this year. Petitioner supplied no information regarding any adverse environmental impact resulting from the grant of the Variance.

Rule 205(f) of Chapter Two limits the discharge of organic materials into the atmosphere to no more than 8 pounds per hour from any single emission source. Petitioner calculated that it has 13 emission sources, each presently emitting 28.36 lb./hr. of solvent in excess of the limitation of Rule 205(f) of Chapter Two.

The Environmental Protection Agency (Agency) filed its Recommendation on August 7, 1974. The Agency indicated that several residents living on the south side of West Bloomingdale Street complained about odors but were not opposed to the grant of a Variance. The Agency believes that Petitioner's compliance program will be achieved by December 31. The Agency recommended that the Variance be granted, because "the hardship that would be caused to Petitioner by a denial of this Variance outweighs the damage that will be caused to the environment if this Variance is granted."

We grant the Variance, because it would be an unreasonable hardship to deny it. We recognize that shortages exist in petrochemical supplies and believe that Petitioner deserves several months to comply with Rule 205(f). No citizens are opposed to the grant of the Variance. While recent ozone alerts as well as the alleged longevity of the exempt solvent shortage indicates that closer Board scrutiny is demanded when dealing with Rule 205(f) variance requests, the Petitioner is entitled to a short reprieve in order to meet the standards of Rule 205(f) of Chapter Two.

This constitutes the findings of fact and conclusions of law of the Board.

ORDER

Petitioner is granted a Variance from Rule 205(f) of Chapter Two until December 31, 1974, subject to the following conditions:

- (a) Petitioner shall utilize as much exempt solvent formulations as can be furnished by its suppliers.
- (b) Petitioner shall submit reports for the months of September, October, November, and December, 1974, to:

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

The monthly reports should include the total amount of solvents used, the nature and amount of non-exempt solvents used, the nature and amount of exempt solvents used, the amount and nature of exempt solvents purchased (indicating the supplier), the amount and nature of non-exempt solvents purchased (indicating the supplier), and the amount and nature of solvents in inventory at the beginning of each month.

- (c) Within 2 months of the date of this Order, Petitioner shall submit to the Agency a modified compliance plan to replace that which has been nullified by shortages. This plan may:
  - i. Achieve compliance at the expiration of the Variance by replacement of photo-chemically reactive solvents with non-reactive solvents demonstrated to be readily available; or

- ii. Achieve compliance at the expiration of the Variance by qualification under the Alternative Standard of Rule 205(f)(1); or
- iii. Achieve compliance by May 30, 1975 under the provisions of Rule 205(f)(2)(D).

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 5<sup>th</sup> day of September, 1974, by a vote of 4 to 0.

  
Christan L. Moffett