

ILLINOIS POLLUTION CONTROL BOARD
April 12, 1973.

WIRCO CASTINGS, INC.)
)
 v.) PCB 73-4
)
ENVIRONMENTAL PROTECTION AGENCY)

Mark M. Hart and Everett E. Hart, appeared on behalf of
Petitioner;
Dale Turner, Assistant Attorney General, appeared on behalf
of Environmental Protection Agency.

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

Petition for variance was filed with the Environmental Protection Agency ("Agency") on January 3, 1973. Petitioner, Wirco Castings, Inc., is a gray iron foundry located in New Athens, St. Clair County, Illinois. Wirco operates a twenty-ton Ajax induction furnace, which was placed in operation in February, 1972. Petitioner seeks a variance to operate a cupola-type furnace during such times as the induction furnace is shut down for maintenance or repair. Wirco estimates it will need to operate its cupola-type furnace three to eight weeks during a one-year period.

The emissions from the cupola furnace, as calculated by the Agency, are as follows:

<u>Estimated Melt Rate</u>	<u>Cupola Process Weight Rate</u>	<u>Emission Particulates</u>	<u>Allowable</u>
4 T/hr	5 T/hr	22.4 lb/hr	12.0 lb/hr
3 T/hr	3.75 T/hr	16.8 lb/hr	9.92 lb/hr

The difference in emissions between the cupola and induction furnace as calculated by the Agency using Compilation of Air Pollutant Emission Factors, AP-42, pp. 7-13, are as follows:

Cupola emissions	5.6 lb/T
Induction furnace emissions	<u>1.5 lb/T</u>
Increased emissions using cupola furnace	4.1 lb/T

Petitioner states that if this variance is not granted, it will be forced to cease production during such times as its induction furnace is under repair. This, because the castings which constitute the bulk of Wirco's production are primarily of

the automotive parts type and are ordered on short and rigid time schedules, which renders stock-piling impractical.

Petitioner further states that should this variance be denied, Wirco will be forced to lay off its production employees (approximately 90 people) during the periods when the induction furnace is shut down; and that such a practice would create a hardship for the employees and make it difficult for Wirco to retain trained and experienced employees. Wirco's request for a variance states that the cost of an additional induction furnace to be used on a stand-by basis would be approximately \$200,000. Petitioner further indicates that it would cost \$75,000 to \$100,000 to install adequate control equipment on the cupola. The request for variance concluded that it is "financially impossible" for Petitioner to undertake either alternative at this time; however, such an investment could be justified in approximately five years. It is noted that Petitioner has offered no data to substantiate its financial hardship.

In this regard, Petitioner, by Mr. Everett Hart, General Manager, stated at a hearing held on March 14, 1973, as follows:

"Now, I have asked for a five year period, but I have no way of knowing at the end of five years what the economic condition of the country would be, or whether we would be in a position to make an investment of that type, but we had to select some time element, so we picked five years, but it is strictly arbitrary as far as we are concerned. We have no way of saying we will be in a better financial position five years from now than we are right now, so that it is about all I can say about the financial side of it."

Wirco is located in a sparsely settled area one-half mile outside the city limits of New Athens, a town of 2,000 population. The next nearest community is approximately four miles from the plant. The Agency has received no complaints from residents near Petitioner's plant.

The Board notes that Petitioner's request for variance and the testimony of Mr. Hart at the hearing are remarkably devoid of data and evidence in support of its assertions and request. In particular, Petitioner offered what can only be termed meager substantiation for its assertions, as regard financial inability, probability of lay-offs and the purported impossibility of stock-piling.

It is the decision of the Board that in view of the severe hardship to both Wirco and its employees, which would result from three to eight weeks of idleness per year, and the inconclusiveness of the evidence as to whether, in fact, operation of the cupola would result in violations, a variance for a period of six months will be granted.

Petitioner is also put on notice that should it request an extension of this variance, a more diligent, documented and factually supportive petition will be requisite to favorable action by this Board.

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

IT IS THE ORDER of the Pollution Control Board that Variance be granted to Wirco Castings, Inc, for the term of six months from the date of this order subject to the following conditions:

I. Petitioner shall not operate its gray iron cupola furnace in excess of the following limitations:

A) The gray iron cupola furnace shall not be operated in excess of forty (40) days during the period of this Variance.

B) During any one day of operation, the gray iron cupola shall not exceed thirty (30) tons of gray iron castings.

C) The operation of the gray iron cupola shall not have a melt rate that exceeds four (4) tons per hour.

II. Petitioner shall maintain and keep in good operating order and operate during all times when the gray iron cupola is operating its afterburner and wetcap control devices on the gray iron cupola.

III. Petitioner shall inform the Agency of the projected operation of the gray iron cupola furnace, in writing, at least forty-eight (48) hours prior to the use of the gray iron cupola.

IV. After each period of operation of Petitioner's gray iron cupola furnace, Petitioner shall supply to the Agency, in writing, forty-eight (48) hours after such period of operation the following information concerning its gray iron cupola:

A) The number of days during the period of operation that Petitioner operated its gray iron cupola.

B) The daily iron casting production for each day Petitioner operated its gray iron cupola.

V. Petitioner shall submit to the Agency, with any request for variance extension, information on the financial position of the company and any other data to substantiate Petitioner's claim that it is unable to purchase control equipment on its cupola or purchase an additional induction furnace.

VI. The gray iron cupola shall be granted only in accordance with paragraph I of this order and, then only when it is absolutely necessary that the induction furnace be shut down for maintenance and repair. The cupola and induction furnaces shall never be operated concurrently.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above opinion and order was adopted by the Board on the 12th day of April, 1973, by a vote of 4 to 0.

Christan L. Moffett