

ILLINOIS POLLUTION CONTROL BOARD  
March 21, 1974

MOBIL OIL CORPORATION )  
 )  
 )  
 )  
 v. ) PCB 73-563  
 ) 73-564  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )  
 )

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

Mobil Oil Corporation (Mobil Oil) filed two petitions on December 28, 1973 for variances from Rules 205(a)(2)(A) and Rule 205(b)(1) of the Air Pollution Regulations (Air Regulations). On January 3, 1974 the Board consolidated the two variance requests. The Agency filed a Recommendation to Grant the Variances on February 8, 1974. No hearing was held.

Mobil Oil operates an oil bulk terminal located in North Pekin, Tazewell County, Illinois. This facility has five storage tanks and a drop-arm-type truck loading rack. Annual through-put in this facility is 20.3 million gallons of gasoline and 9.0 million gallons of fuel oil per year. Mobil seeks a variance from Rule 205(b)(1) of the Air Regulations for its truck loading rack to October 31, 1974 in order to complete modifications to allow the use of submerged pipe filling on the truck loading rack. Mobil also seeks variance from Rule 205(a)(2)(A) of the Air Regulations for the three storage tanks with storage capacity greater than 40,000 gallons until October 31, 1974 in order to allow it to install and make operational a floating roof. The compliance date for both these rules was December 31, 1973.

Mobil alleges that the reason for the delay in compliance was due to the potentially high cost of complying with Rule 205 before the Pollution Control Board modified Rule 205(b)(1) on December 20, 1973 pursuant to the request by the Illinois Petroleum Council, R73-6 which was filed on March 29, 1973. The Board on December 20, 1973 adopted the proposed modification to Rule 205(b)(1) which accepted submerged pipe loading as an alternative to vapor recovery systems. Mobil alleges that it would have closed or divested itself of the facility rather than to spend the funds necessary to comply with Rule 205(b)(1) as it originally existed. Mobil further alleges that to require compliance by December 31, 1973 would have required the closing of the facility and thus would have constituted an arbitrary and unreasonable hardship.

The Agency agrees that Mobil is entitled to a variance and that Mobil's compliance schedule showing compliance by October 31, 1974 is reasonable.

While Mobil has not alleged any data as to the environmental impact that these continued emissions would have, the Agency has calculated the hydrocarbon emission rate from the storage tanks to be approximately 67 lbs. per hour and is unable to calculate the emission rate from the tank truck loading facility. The Agency has stated that Mobil's compliance system will result in compliance with both rules.

This Opinion constitutes the Board's findings of fact and conclusions of law.

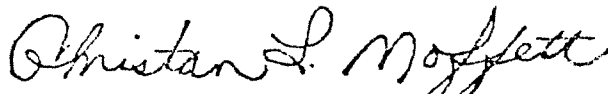
ORDER

Mobil Oil is hereby granted a variance from Rules 205(a) (2)(A) and 205(b)(1) of the Air Regulations until October 31, 1974 for its three storage tanks and loading facility subject to the following conditions:

1. Mobil shall submit progress reports to the Division of Air Pollution Control, Illinois Environmental Protection Agency, beginning one month after the date of this Order, continuing thereafter quarterly; and
2. Mobil shall post a Performance Bond in the amount of \$10,000 by April 30, 1974 guaranteeing installation of the floating roofs and submerged pipe system as specified in this proceeding.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 21<sup>st</sup> day of March, 1974 by a vote of 5-0.

  
\_\_\_\_\_  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board