

ILLINOIS POLLUTION CONTROL BOARD

February 14, 1974

IN THE MATTER OF: )  
 )  
THE PETITION FOR VARIANCE OF: ) PCB 73-553  
 )  
ASHLAND PETROLEUM COMPANY )  
HARTFORD TERMINAL )

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

Petitioner, Ashland Petroleum Company, filed a petition for a variance, which was received by the Illinois Pollution Control Board (hereinafter Board) on December 26, 1973. Petitioner seeks a variance for 3 to 4 months after December 31, 1973, in order to achieve compliance with Rule 205(b) of Chapter 2 of Air Pollution Regulations of the Illinois Pollution Control Board. Late delivery of parts (4-inch aluminum tubing) has delayed compliance.

On January 24, 1974, the Board received a Recommendation from the Environmental Protection Agency (hereinafter Agency) concerning this case.

Petitioner operates a pipeline terminal in Hartford, Madison County, Illinois. This terminal receives motor oil, regular gasoline and premium gasoline by pipeline. The material is stored at the terminal and then is usually shipped out by tank trucks. Petitioner received an operating permit from the Agency on October 18, 1973. With this permit, Petitioner submitted a compliance program designed to achieve compliance with Rule 205(b) of Chapter 2, Air Pollution Regulations, by December 31, 1973. The compliance program called for installation of one floating roof on Tank No. 553 containing gasoline and also installing extended drop tubes on gasoline loading arms at the tank truck loading racks to achieve compliance with the submerged loading regulation. Petitioner states that the installation on the floating roofs was completed on July 24, 1973. Petitioner has installed two drop tubes but was advised on December 12, 1973, by its supplier that the other two drop tubes could not be delivered until February, 1974, due to shortage of 4-inch aluminum tubing. Therefore, Petitioner is requesting a Variance from the December 31, 1973, compliance date contained in Rule 205(b) for three to four months to allow Petitioner to install two additional drop tubes on its gasoline truck tank loading racks.

Petitioner presently uses four aluminum tubes for filling tank trucks. Two of these tubes are sixty inches long and two are approximately 48 inches long. The two 48-inch tubes are the subject of this Variance. Petitioner plans to replace these tubes with sixty-inch tubes to achieve compliance with Rule 205(b) of Chapter 2, Air Pollution Regulations of the Pollution Control Board. Petitioner states that it was informed by its supplier, Mid-Valley Supply Company, Inc., Ironton, Ohio, that it would be unable to deliver the two sixty-inch tubes until approximately February, 1974. The Agency is of the opinion that Petitioner has acted in good faith in attempting to achieve compliance by December 31, 1973, with Rule 205(b). Further, the Agency is of the opinion that the delay in installing the two additional drop tubes by December 31, 1973, was caused by acts outside of the control of Petitioner.

The Agency believes that the two additional sixty-inch pipes will accomplish compliance with Rule 205(b). The amount of hydrocarbon emissions which may occur during the period of this Variance was not estimated. No objections to the granting of this Variance were received from the public. The Agency recommended that this Variance be granted until April 1, 1974, with certain conditions, and the Board concurs in this Recommendation.

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

#### ORDER

IT IS THE ORDER of the Pollution Control Board that the Petitioner's request for this Variance is granted until April 1, 1974, or until the two additional sixty-inch drop tubes are installed on the loading assemblies on the truck rack, whichever occurs sooner, subject to the following conditions:

a. Petitioner shall notify:

Illinois Environmental Protection Agency  
Division of Air Pollution Control  
Region IV Office  
115a West Main Street  
Collinsville, Illinois 62234  
(Telephone (681) 345-0700)

upon receipt of the two additional drop tubes for its tank truck loading rack.

b. Petitioner shall immediately install the two additional drop tubes and shall notify the above office upon completion.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 14th day of February, 1974, by a vote of 5 to 0.