

ILLINOIS POLLUTION CONTROL BOARD  
July 25, 1974

ACME BARREL COMPANY, INC., )  
 )  
Petitioner, )  
 )  
vs. ) PCB 74-138  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

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

On April 17, 1974, Acme Barrel Company, Inc. filed its Petition For Variance, seeking therein a variance from the Board Order in PCB 72-404.

Petitioner operates a drum reclamation and reconditioning facility located at 2300 West 13th Street, Chicago, Illinois.

The equipment which is used in the reclamation and reconditioning of drums includes burners to pre-heat barrels, incinerators, pits in front of two incinerators, steel shot blasting units, barrel washing and drying facilities and paint spray units and curing ovens.

Petitioner receives 4000 barrels each day which contain residues of under-coating, tar, oils, animal fats, varnish, paint, glue, printing ink, chemicals, etc.. Both open-head and tight-head barrels are reconditioned. Petitioner is equipped with two drum incinerators, one cover incinerator, eight paint spray booths, four curing ovens and five steel shot blasting units, each of which is equipped with a baghouse.

Petitioner is seeking a Variance from the Board Order in PCB 72-404. In that action the Agency filed a complaint against Petitioner on October 13, 1972. (PCB 72-404).

The complaint alleged that during the period beginning on or before January 26, 1972, and continuing at least to the date of the filing of the complaint, Petitioner operated its salamanders, its barrel preheating process and the collection of waste materials from the preheated barrels in such a manner as to violate Section 9(a) of the Environmental Protection Act Ill. Rev. Stat., ch. 111 1/2, Section 1009(a), 1971. The complaint further alleged that during the same period Petitioner caused or allowed the burning of refuse in pits located in front of its incinerators in such a manner as to cause open burning of refuse in violation of Section 9(c) of the Environmental Protection Act. Finally the complaint alleged that on or subsequent to July 1, 1970, Acme Barrel installed pollution control equipment without first having obtained a permit from the Agency in violation of Section 9(b) of the Act.

A hearing was held on March 17, 1973. This hearing was then continued to a later date with the understanding that the parties would attempt to agree on a stipulation of facts. A second hearing was held on October 24, 1973 and the joint stipulation of both parties was introduced into evidence.

In that stipulation, Petitioner agreed to rehabilitate the vestibules of the incinerators and reinstall cover plates on the pit and conveyor in an effort to eliminate any open burning. Since April 23, 1973, Petitioner has removed the rubber gaskets from the lids before placing them in the incinerator.

Petitioner also converted the salamanders to gas-fired heaters and agreed to undertake a program to eliminate the possibility of any smoke emanating from the area in front of the incinerators. Petitioner also agreed to undertake the following additional work and installation of equipment: to establish a program for eliminating the possibility of any smoke emanating from the area in front of the incinerators; to investigate the possibility of disposing of the gathered material from this process by means of an in-plant special incinerator at some future date; the installation of a new water spray booth for the external paint line; and a program of proper maintenance of both filters on the existing spray booth and on the existing baghouse. Schedules were submitted in detail for the program for drum cleaning and disposal of drum drainage. Petitioner requests an extension of six months from the May 1, 1974 deadline set out in paragraph 1. of the Board Order so that it can refabricate its drum drainage system itself and install it with its own forces. A grant of the Petition for Variance would extend the deadline until November 1, 1974.

Petitioner has already purchased conveyor, gearbox, chain and pumps, etc., for the drum drain system. The purchase receipts have been submitted to the Agency.

Petitioner informed the Agency's representative that Petitioner did not receive quotations for the fabrication and installation system because of the unavailability of steel and previous commitments of the construction companies. The Agency investigator verified this claim with the construction companies by phone on May 8, 197

Petitioner now intends to fabricate and install the drum drain system with its own forces. Petitioner has obtained the required steel. Petitioner has torn down part of the old building and installed a chain conveyor on a temporary basis so that during the installation of the drum drain system, drum reconditioning can be in progress without affecting production.

Petitioner requests six months to complete installation of the drum drain system. The Agency finds that this is sufficient time to complete the system.

Petitioner has submitted monthly progress reports to the Agency as required by Paragraph 5 of the Board Order. Petitioner has paid its fine and complied with the other sections of the Board Order.

Petitioner is installing a new baghouse and steel shot blasting units. According to the purchase order submitted to the Agency, the baghouse and blasting units cost approximately \$200,000.

We are satisfied that Petitioner's failure to comply with our Order resulted from factors beyond its control. The Variance will be granted, subject to certain conditions.

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

IT IS THE ORDER of the Pollution Control Board that Petitioner be granted a Variance from Paragraph 1 of the Pollution Control Board Order in PCB 72-404 until November 1, 1974, subject to the following conditions:

a. Petitioner shall continue to pursue vigorously its investigation and implementation of alternatives regarding disposal of drum drainings.

b. Petitioner shall apply for all necessary permits from the Environmental Protection Agency.

c. Petitioner shall submit monthly reports to:

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

The monthly reports shall include the progress of the installation of the drum drain system.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on this 25<sup>th</sup> day of July, 1974 by a vote of 5-0.

