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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

APR 02 2004

IN THE MATTER OF: )  
 )  
PETITION OF FORMEL INDUSTRIES, INC. )  
FOR AN ADJUSTED STANDARD FROM )  
35 ILL. ADM. CODE 218.401(a), (b), and (c) )

STATE OF ILLINOIS  
Pollution Control Board  
AS *W-13*  
(Adjusted Standard - Air)

NOTICE

TO: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
Jamea R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601

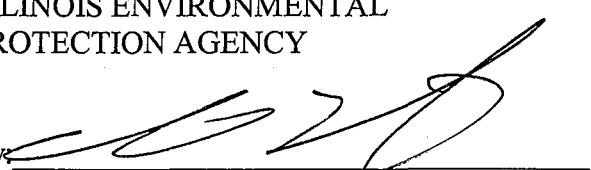
James F. Zidek  
Formel Industries, Inc.  
2355 N. 25<sup>th</sup> Avenue  
Franklin Park, Illinois 60131

PLEASE TAKE NOTICE that I have filed on March 18, 2004 with the Office of the Pollution Control Board the JOINT-MOTION TO WITHDRAW ADJUSTED STANDARD, AN APPEARANCE AND AN APPEARANCE FOR JAMES F. ZIDEK on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Date: March 31, 2004

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: \_\_\_\_\_

  
Charles E. Matoesian  
Assistant Counsel  
Division of Legal Counsel

1021 North Grand Avenue East  
P.O. Box 19276  
Spring field, IL 62794-9276  
217/782-5544

THIS FILING IS SUBMITTED ON  
RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD APR 02 2004

IN THE MATTER OF:	)	STATE OF ILLINOIS
	)	Pollution Control Board
PETITION OF FORMEL INDUSTRIES, INC.	)	AS <i>0013</i>
FOR AN ADJUSTED STANDARD FROM	)	(Adjusted Standard-Air)
35 ILL. ADM. CODE 218.401(a), (b), and (c)	)	
	)	

**JOINT-MOTION TO WITHDRAW ADJUSTED STANDARD**

The Illinois Environmental Protection Agency ("Illinois EPA") and Formel Industries, Inc. ("Formel") hereby submit this co-petition in the above captioned matter pursuant to the regulations of the Pollution Control Board ("Board") at 35 Ill. Adm. Code Section 104. The Illinois EPA and Formel move that the Board **WITHDRAW** the adjusted standard granted to Formel in AS 00-13. In support of this motion, the parties state as follows:

1. Formel filed its Petition for Adjusted Standard ("Petition") on March 14, 2000. The Petition requested that the Board grant Formel an adjusted standard for three central-impression flexographic printing presses from 35 Ill. Adm. Code 218.401(a), (b), and (c) (the "flexographic printing rule"). Section 218.401 requires in pertinent part that (1) the flexographic printer use water-based, compliant inks that either contain no more than 40% volatile organic material ("VOM") by volume or contain no more than 25% VOM by volume of the volatile content of the ink, or alternatively, (2) the printer operates a capture system and control device which reduces the captured VOM emissions by 90% and the printing line is equipped with a capture and control device which provides an overall reduction in VOM emissions of at least 60%. Board Order, Jan. 18, 2001.
2. The Petition resulted from Formel's assertion that it could not use water-based compliant inks and because the cost of installing and using an approved control device outweighed the benefits. The

Illinois EPA filed a response on October 17, 2000 recommending that the Board grant the adjusted standard subject to certain conditions.

3. Specifically, Formel sought an adjusted standard from 35 Ill. Adm. Code 218.401(a), (b), and (c) which provide in pertinent part:

- a) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line shall apply at any time any coating or ink unless the VOM content does not exceed the limitation specified in either subsection (a)(1) or (a)(2) below. Compliance with this Section must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.404(c) of this Part. As an alternative to compliance with this subsection, a subject printing line may meet the requirements of subsection (b) or (c) below.
  - 1) Forty percent VOM by volume of the coating and ink (minus water and any compounds which are specifically exempted from the definition of VOM), or
  - 2) Twenty-five percent VOM by volume of the volatile content in the coating and ink.
- b) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line shall apply coatings or inks on the subject printing line unless the weighted average, by volume, VOM content of all coatings and inks as applied each day on the subject printing line does not exceed the limitation specified in either subsection (a)(1) (as determined by subsection (b)(1)) or subsection (a)(2)) (as determined by subsection (b)(2)). Compliance with this subsection must be demonstrated through the applicable coating or ink analysis test methods and procedures specified in Section 218.105(a) of this Part and the recordkeeping and reporting requirements specified in Section 218.404(d) of this Part.

\* \* \*

- c) No owner or operator of a subject flexographic, packaging rotogravure or publication rotogravure printing line equipped with a capture system and control device shall operate the subject printing line unless the owner or operator meets the requirements in subsection (c)(1), (c)(2), or (c)(3) and subsections (c)(4), (c)(5) and (c)(6) below.

- 1) A carbon adsorption system is used which reduces the captured VOM emissions by at least 90 percent by weight, or
- 2) An incineration system is used which reduces the captured VOM emissions by at least 90 percent by weight, or
- 3) An alternative VOM emission reduction system is used which is demonstrated to have at least a 90 percent control device efficiency, approved by the Agency and approved by USEPA as a SIP revision, and
- 4) The printing line is equipped with a capture system and control device that provides an overall reduction in VOM emissions of at least:

\* \* \*

C) 60 percent where a flexographic printing line is employed, and

4. In its January 18, 2001 Order, the Board granted Formel's petition for an adjusted Standard. In the Order, several conditions were placed on Formel that would require the revision or withdrawal of the adjusted standard should they occur. These include:

9. This adjusted standard must be revised or withdrawn if Formel no longer prints the majority of its images on high-slip substrates, or on the outside surface of the high-slip substrate.
10. This adjusted standard must be revised or withdrawn if Formel determines that any add-on control system is economically reasonable and technically feasible or if Formel uses any add-on control system that controls VOM emissions;
11. This adjusted standard must be revised if it becomes feasible for Formel to use compliant inks and coatings for the majority of its printing operations;
12. This adjusted standard must be withdrawn if it becomes feasible for Formel to use compliant inks and coatings for all three presses subject to this adjusted standard; and
13. If this adjusted standard is revised or withdrawn and Formel is a participating source in the ERMS program, Formel's ERMS baseline will be adjusted downward to the extent that the new or revised requirements for the three

presses subject to this adjusted standard would result in lower baseline emissions. If such an adjustment to Formel's ERMS baseline is required by this provision, the seasonal allotment period used in its original baseline determination shall be used to determine its adjusted baseline. Formel must submit a CAAPP application for a revised baseline, as required by this provision, within 60 days of final withdrawal of, or revision to this adjusted standard.

5. Formel has installed a catalytic oxidizer and so is capable of, and is in fact, complying with the flexographic printing rules at 35 Ill. Adm. Code 218.401(a), (b), and (c). The construction permit for the catalytic oxidizer was issued on October 31, 2001. Emissions testing was successfully performed on May 31, 2002. A Title V operating permit initially issued on March 3, 2000, was modified on July 11, 2003 to include the catalytic oxidizer.

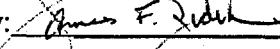
6. Pursuant to condition ten in the Board's January 18, 2001 Order, the adjusted standard must be revised or withdrawn. After consultation between the Illinois EPA and Formel, the parties believe that the adjusted standard shall be withdrawn.

7. The parties note there are no applicable Board regulations to govern the withdrawal of an adjusted standard and further that this motion appears to be a matter of first impression.

WHEREFORE, for the above reasons, the Illinois EPA and Formel jointly request that the Board **WITHDRAW** Formel's Adjusted Standard.

Respectfully submitted,

FORMEL INDUSTRIES, INC.

By:   
Attorney

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: 

James F. Zidek  
Attorney  
Formel Industries, Inc.

Charles E. Matoesian  
Assistant Counsel  
Division of Legal Counsel

DATE: March 31, 2004

1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 627949276  
(217)782-5544  
(217)782-9807 Facsimile

APR 02 2004

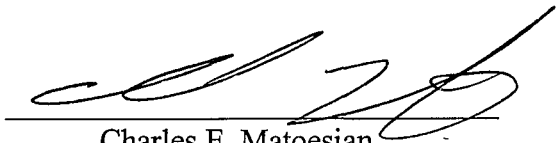
STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
PETITION OF FORMEL INDUSTRIES, INC.	)	AS 00-13
FOR AN ADJUSTED STANDARD FROM	)	(Adjusted Standard - Air)
35 ILL. ADM. CODE 218.401(a), (b), and (c)	)	

APPEARANCE

I hereby file my Appearance in this proceeding, on behalf of the Illinois Environmental Protection Agency.



Charles E. Matoesian  
Assistant Counsel  
Division of Legal Counsel

DATED: March 31, 2004

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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FOR AN ADJUSTED STANDARD FROM )  
35 ILL. ADM. CODE 218.401(a), (b), and (c) )  
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AS 150-13 STATE OF ILLINOIS  
Pollution Control Board  
(Adjusted Standard - Air)

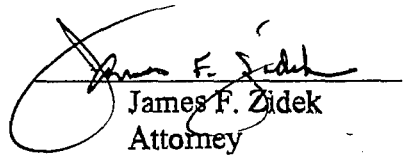
APPEARANCE

I hereby file my appearance in this proceeding on behalf of Formel Industries, Inc.

**RECEIVED**  
Division of Legal Counsel

MAR 29 2004

Environmental Protection  
Agency

  
James F. Zidek  
Attorney  
Formel Industries, Inc.

DATED: 3-26-2004

FORMEL INDUSTRIES, INC.

2355 N. 25th Avenue  
Franklin Park, Illinois 60131  
847/455-3300

THIS FILING IS SUBMITTED  
ON RECYCLED PAPER



STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF SANGAMON        )

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Joint-Motion to Withdraw Adjusted Standard, an Appearance and an Appearance for James F. Zidek upon the person to whom it is directed, by placing it in an envelope addressed to:

TO: Dorothy Gunn, Clerk	James F. Zidek
Illinois Pollution Control Board	Formel Industries, Inc.
Jamea R. Thompson Center	2355 N. 25 <sup>th</sup> Avenue
100 W. Randolph Street, Suite 11-500	Franklin Park, Illinois 60131
Chicago, Illinois 60601	

and mailing it by First Class Mail from Springfield, Illinois on March 31, 2004, with sufficient postage affixed.

*Cynthia Lewis*

SUBSCRIBED AND SWORN TO BEFORE ME

this 31<sup>st</sup> day of March, 2004

Brenda Boehner  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCLED PAPER**