

ILLINOIS POLLUTION CONTROL BOARD
May 18, 2000

ACME STEEL COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 00-193
)	(Provisional Variance - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

On May 16, 2000, the Illinois Environmental Protection Agency (Agency) filed a request for provisional variance and notification of recommendation. The Agency recommends that the Board grant a 45-day provisional variance to Acme Steel Company (petitioner) for its coke plant located at 11236 South Torrence Avenue, Chicago, Illinois. The provisional variance would allow the petitioner's Cook County facility to continue to operate while petitioner conducts maintenance and repairs are made on its Pushing Emissions Control scrubber system. In making its recommendation, the Agency states that failure to grant the requested provisional variance for 45 days will result in an arbitrary or unreasonable hardship on the petitioner.

The Board grants the petitioner a provisional variance from 35 Ill. Adm. Code 212.443(c)(1)(A), which prohibits average opacity during pushing operations of greater than 20 percent for four consecutive pushes. The Board is required, in a provisional variance, to adopt a formal order, assure formal maintenance of the record, assure the enforceability of the variance, and provide notification of the action by press release. Pursuant to Section 35(b) of the Environmental Protection Act (415 ILCS 5/35(b) (1998)), the Board must issue the provisional variance within two days of the filing.

The Board hereby grants the petitioner a provisional variance, subject to the following conditions:

1. The variance shall begin on May 1, 2000, and shall continue until June 14, 2000.
2. Petitioner shall institute the following enhanced work practices:
 - a. Coking times will be a minimum of 19 hours;

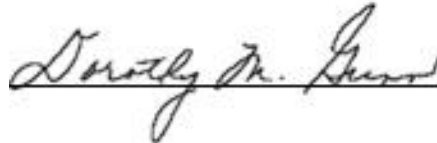
- b. Petitioner will monitor temperatures in all four zones and all walls, weather permitting, to assure complete coking; and
 - c. Petitioner will also give increased attention to proper fill levels and avoid sweeping any coal into ovens about to be pushed.
3. Written notification shall be sent to the following address when the repairs and maintenance are completed:

Deborah J. Williams
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of May 2000 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board