ILLINOIS POLLUTION CONTROL BOARD August 3, 1978

COMMONWEALTH	EDISON	COMP	MY,)		
		Petit	cioner,)		
	v.)))	PCB	77-201
ENVIRONMENTAL	PROTE	CTION	AGENCY,)		
		Respo	ondent.)		

RICHARD E. POWELL AND EUGENE H. BERNSTEIN, ISHAM, LINCOLN & BEALE, APPEARED ON BEHALF OF PETITIONER;

RUSSELL EGGERT, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF RESPONDENT;

MICHAEL R. BERMAN, CITIZENS FOR A BETTER ENVIRONMENT, APPEARED ON BEHALF OF INTERVENOR.

ORDER OF THE BOARD (by Mr. Goodman):

It is the Order of the Board that:

- (1) Commonwealth Edison be granted variance from Rule 204(c)(l)(A) of the Board's Air Pollution Control Regulations for its Powerton Station until July 1, 1979 subject to the following conditions:
 - (A) During the term of the variance Edison shall continue to operate the Powerton-Edwards Supplemental Control System in a manner so as to protect the Ambient Air Quality Standards.
 - (B) Edison shall execute the revised compliance plan for Powerton Station as outlined in its March 17, 1978 amended petition for variance, which petition is incorporated by reference as if fully set forth herein.

- (C) Commonwealth Edison shall report to the Agency each quarter starting September 1, 1978 on its progress towards compliance and shall report monitoring results for Powerton in a manner acceptable to the Agency.
- (D) Edison shall continue the installation of flue gas desulfurization equipment on Boiler #51.
- (E) Within 45 days of the adoption of this Order, the Commonwealth Edison Company shall execute and forward to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

CERTIFICATION

I (We),	having read and fully
understanding the Order of the	e Illinois Pollution Control
Board in PCB 77-201 hereby accoound by all of the terms and	cept said Order and agree to be conditions thereof.
	SIGNED
	TITLE
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- (2) Failure to achieve final compliance by July 1, 1979 with Rule 204(c)(l)(A) may result in a requirement to pay a noncompliance penalty under Section 120 of the Federal Clean Air Act (42 USC 741 et seq.).
- (3) This variance shall terminate earlier upon any Rule or Order entered under Section 125 of the Federal

Clean Air Act (42 USC 741 et seq.) requiring Commonwealth Edison to burn Illinois coal at Powerton.

Mr. Dumelle dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 3rd day of August, 1978 by a vote of 4-1.

Christan C. Maffetf (C)
Christan L. Moffett, Clerk
Illinois Pollution Control Board