

Mechanical precipitators were installed on each of the boilers in question in 1966. However, stack tests performed in 1977 revealed the above-described levels of emissions. Harvester has, therefore, proposed to install dry scrubber control equipment to control particulate emissions from the boilers. The manufacturer of the proposed equipment has guaranteed that the equipment will have an efficiency of at least 85%. Such efficiency will bring all boilers into compliance. During construction of the dry scrubber system, Harvester will minimize the use of boiler #2. The Agency agrees that, although the proposed system represents new technology in Illinois, it should bring Harvester's boilers into compliance.

Harvester was granted an operating permit for its boilers in 1973 and was not aware that particulate emissions from its boilers were exceeding the allowable limits until January of 1978 when it received the stack test results described previously. Its application for a new operating permit was denied by the Agency in March of 1978 at which time it petitioned for a variance.

The Board finds that Harvester's agreement to minimize use of boiler #2 will help protect the environment during the period of the variance and that the proposed dry scrubber system will bring the boilers into compliance. The estimated cost of the proposed system is \$4,000,000. We find that denial of the requested variance would result in an arbitrary and unreasonable hardship. The Board will grant the variance until July 1, 1979, the latest date to which the Federal Clean Air Act allows variances to be granted. The Board will also require that Harvester execute a \$10,000 performance bond to assure timely compliance, perform stack tests upon completion of its compliance program and adhere to other conditions detailed in the Order below.

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

ORDER

It is the Order of the Pollution Control Board that International Harvester Co. be granted a variance from Rule 203(g)(1)(B) of the Air Pollution Regulations until July 1, 1979, subject to the following conditions:

1. Harvester shall adhere to the Compliance Schedule attached as exhibit A to its amended petition, which is incorporated by reference as if fully set forth herein;
2. Until compliance is fully achieved, Harvester shall use boiler #4 on a priority basis and shall not use boiler #2 unless necessary;
3. Until compliance is fully achieved, the ash content of the coal burned in the boilers shall not exceed 10%;
4. Harvester shall apply to the Agency for all necessary construction permits by September 15, 1978;
5. Within 35 days of the date of this Order, Harvester shall execute a performance bond of \$10,000 in a form acceptable to the Agency. Said bond shall be submitted to the Agency at the following address:

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

6. Within 35 days of the date of this Order and on a quarterly basis thereafter, Harvester shall submit written reports to the Agency detailing all progress made toward compliance with Rule 203(g)(1)(B) of Chapter 2 as well as an analysis of all coal consumed. Said reports shall be submitted to the Agency at the address specified in paragraph 5 above;
7. Within 35 days of the completion of the dry scrubber system, Harvester shall have stack tests conducted by an independent company. Harvester shall notify the Agency in writing at least seven days prior to the testing, and shall allow Agency representatives to witness the testing and to analyze all test results. Notification shall be made to the address specified in paragraph 5 above; and

8. Within 45 days of the adoption of the Order, the International Harvester Company shall execute and forward to the address listed in paragraph 5 above 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 Illinois Pollution Control Board in PCB 78-91, hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED _____

TITLE _____

DATE _____

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 21st day of September, 1978 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board