

ILLINOIS POLLUTION CONTROL BOARD

December 19, 1974

SOUTHERN ILLINOIS POWER COOPERATIVE)
Petitioner,)
)
v.) PCB 74-359
)
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent.)

OPINION AND ORDER OF THE BOARD (by Dr. Odell)

On October 4, 1974, Southern Illinois Power Cooperative (SIPC) filed its Petition for Variance to extend the date by which it had to achieve compliance with Rule 203(g) of the Air Pollution Regulations (Chapter Two) and Rule 2-2.53 of the Rules and Regulations Governing the Control of Air Pollution (Rules and Regulations).

In two previous Pollution Control Board (Board) cases, SIPC had been granted variances to operate its electric power generating station above the particulate limitations set out in Chapter Two and the Rules and Regulations. In Southern Illinois Power Cooperative v. Environmental Protection Agency, PCB 72-238, 7 PCB 9 (February 6, 1973), Petitioner was granted a variance until January 30, 1974, in order to install three electrostatic precipitators on its coal-fired boilers, subject to a construction program which would bring its facilities into compliance by April 1975. The Order indicated further variance extensions conditional on good faith efforts to implement its installation program. In Southern Illinois Power Cooperative v. Environmental Protection Agency PCB 73-436, 10 PCB 363 (December 13, 1973), a variance was granted until January 30, 1975, to permit continued implementation of the original compliance plan.

Petitioner operates its facility eight miles south of Marion in Williamson County, Illinois. The plant has three 33 MW units, each fired by cyclone boilers equipped with multiple cyclone dust collectors. Electrostatic precipitators have to be installed for all three units. However, the delivery of Robicon Rapper Controls -- to be installed on the precipitators -- has been delayed for 30 days. Although the precipitators can be operated without the Controls, stack gases cannot be removed until the Robicon Rapper Controls are working. The Petitioner requested that a variance be granted from Rule 203(g) of Chapter Two and Rule 2-2.53 of the Rules and Regulations until May 30, 1975. Present particulate emissions are 0.67 lb/MBTU. Rule 203(g)(1)(B) of Chapter Two

limits emissions to 0.1 lb/MBTU. The standard under Rule 2-2.53 of the Rules and Regulations is 0.45 lb/MBTU.

The Environmental Protection Agency (Agency) filed its Recommendation on November 15, 1974. The Agency was of the opinion that Petitioner's compliance program would reduce total emissions to 0.04 lb/MBTU, which would be in compliance with both Rule 2-2.53 and Rule 203(g)(1)(B). The Agency recommended that the variance be granted until May 30, 1975. The Agency believed that a thirty-day extension beyond the April 1975 date originally contemplated by the Board was reasonable considering the delay in obtaining the Robicon Rapper Controls and the time required for start-up, debugging, and testing.

The variance request from Rule 203(g)(1)(B) is dismissed as untimely in that the Rule is not in effect for the duration of this variance. We grant the variance from Rule 2-2.53 of the Rules and Regulations until May 30, 1975. We grant the variance for the following reasons. First, the character and degree of environmental injury will be minimal for the term of this variance. Second, the pollution source serves an important social and economic function on the community. Third, the facility is well suited to the area in which it is operating. Fourth, the Petitioner has acted in good faith and done everything technically practical to achieve compliance.

IT IS THE ORDER of the Pollution Control Board that:

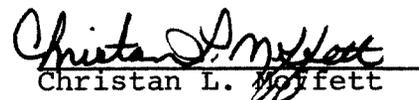
1. Variance from Rule 203(g)(1)(B) of Chapter Two is dismissed as untimely.

2. Southern Illinois Power Company be granted a Variance from January 30, 1975, until May 30, 1975, from Rule 2-2.53 of the Rules and Regulations Governing the Control of Air Pollution, unless completion of start-up and testing of the electrostatic precipitators permits compliance at an earlier date.

3. All applicable conditions imposed by the Board Order in PCB 72-238 shall remain in full force and effect. The date for forfeiture of \$10,000, as stated in Order #2 of PCB 72-238, shall be moved to May 30, 1975.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 19th day of December, 1974, by a vote of 4 to 0.


Christan L. Moffett