

ILLINOIS POLLUTION CONTROL BOARD  
November 2, 1978

ELECTRIC ENERGY, INC., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 78-227  
 )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Respondent. )

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

On August 23, 1978, Electric Energy, Inc., (EEI) filed a variance petition before the Board. The Agency filed its recommendation on September 25, 1978. EEI waived its right to a hearing, and no hearing has been held.

This subject of EEI's variance petition is the Joppa Station, a 1050 megawatt electric generating station located in Massac County. In a prior variance proceeding, PCB 75-106, the Board granted EEI a variance from Rule 204(e) of Chapter 2: Air Pollution Regulations, for the Joppa Station. EEI's compliance plan included the construction of three new 550 foot stacks by October 31, 1978. In the variance petition filed in this matter, EEI indicates that it has experienced delays in constructing its new stacks and requests that its variance be extended until December 31, 1978.

EEI has completed the other portions of its compliance program, which included installation of an ambient sulfur dioxide monitor and implementation of a fuel blending program. The conditions which have caused delays in the construction of the stacks are detailed in EEI's petition. In July of 1978, the contractor responsible for the stack liners and duct work indicated that it might not meet the schedule. The contractor has adopted an expanded work schedule, but even with this schedule it appears that all of the stacks will not be connected to the generating units until November 5. EEI indicates that, based upon experience to date and the tightness of the schedule, several more weeks' delay may occur.

The Joppa Station's maximum sulfur dioxide emissions were 41,783 pounds per hour. The facility's allowable emissions under Rule 204(e) with stack height allowance of 407.3 feet are 36,865 pounds per hour. As required by the Order in PCB 75-106, EEI has implemented a coal-blending program which has reduced the rate of SO<sub>2</sub> emissions to 36,865 pounds per hour. The area in which the Joppa Station is located is currently designated a non-attainment area for sulfur dioxide emissions.

EEI has proceeded with its compliance program as expeditiously as possible. The two month variance sought herein is reasonable. EEI is using a coal blend in its boilers which will limit its maximum SO<sub>2</sub> emissions to below 36,865 pounds per hour. The Board finds that denial of the requested variance would impose an arbitrary and unreasonable hardship on EEI. We will, therefore, grant EEI variance until December 31, 1978, subject to the conditions listed in our Order.

#### ORDER

It is the Order of the Pollution Control Board that Electric Energy, Inc., be and is hereby granted variance for its Joppa Station from Rules 103, 104 and 204(e) of Chapter 2 until December 31, 1978, subject to the conditions listed below:

1. EEI will construct and place in service all three chimneys with a total height allowance of 407.3 feet as soon as possible, but in no event later than December 31, 1978;
2. EEI will utilize a coal blend in all of its boilers at the Joppa Station which will limit the maximum sulfur dioxide emissions to 36,865 pounds per hour;
3. EEI will submit sulfur dioxide ambient air monitoring data monthly reports to the Agency from its monitor which was scheduled to be installed no later than June 30, 1977, as required by PCB Order 75-106 dated September 1, 1977, and submit monthly reports using the "Saroad Hourly Data Form" to the Agency;
4. Upon completion of construction and commencement of service of the new chimneys, EEI will apply for an operating permit indicating all modifications to previously submitted permit applications;

5. EEI is hereby notified that, in the event it fails to achieve final compliance with Rule 204(e) by July 1, 1979, it will be required to pay a noncompliance penalty pursuant to Section 120 of the Clean Air Act as amended in 1977 (42 U.S.C. 7401 et seq.);

6. Within 45 days of the adoption of this Order, the Electric Energy Co., Inc. shall execute and forward to Mr. John Williams, Technical Advisor, 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:


I (We), \_\_\_\_\_, having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 78-227, 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 2<sup>nd</sup> day of November, 1978 by a vote of 4-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board