

ILLINOIS POLLUTION CONTROL BOARD
August 7, 1980

IN THE MATTER OF:)
)
SULFUR DIOXIDE EMISSION LIMITATIONS) R78-17
RULE 204(c)(1)(D) of CHAPTER 2)
(PREVIOUSLY, RULE 204(c)(1)(B)ii.)

PROPOSED RULE (REPEALER). FIRST NOTICE.

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

On December 14, 1978, the Board proposed deleting Rule 204(c)(1)(D) given the deletion of the federal secondary sulfur dioxide national ambient air quality standard (NAAQS) under the 1977 amendments to the Clean Air Act, 42 U.S.C. §7401, et seq. The proceeding was consolidated for purposes of hearing and decision with R77-15, R78-14, R78-15, and R78-16. Both merit and economic hearings were held and the record closed on July 14, 1980.

Before the 1977 Clean Air Act amendments, the secondary NAAQS standard for emissions of sulfur dioxide by solid fuel combustion sources was 60 ug/m³ (0.02 ppm) on an annual arithmetic monitoring average. Rule 204(c)(1)(D) [then Rule 204(c)(1)(B)(ii)] provides that no source located within any major metropolitan area other than Chicago, St. Louis (Illinois), or Peoria may emit sulfur dioxide at a rate more than 1.8 lbs./million Btu actual heat input if that area has monitored sulfur dioxide emission levels greater than 45 or 60 ug/m³ (0.015 or 0.02 ppm), depending on the year monitored, as an annual arithmetic mean.

The Clean Air Act now provides for a secondary sulfur dioxide NAAQS of 0.5 ppm on a 3-hour average basis. This standard would translate into considerably more than 60 ug/m³ as an annual arithmetic mean.

The record shows that not one participant at hearing is opposed to the Board's proposal. The Illinois Environmental Protection Agency (Agency) states that, for example, it never resorted to the rule in performing its duties. (R.8, 221-2, 912).

The economic impact study covering the proposed deletion of the rule (Illinois Institute of Natural Resources' Document No. 79/22 dated October, 1979) found that the costs were greater than the benefits of retaining this rule. Annual benefits were found to be negative because of the differing sulfur contents of coals used. (Page 33).

Agency data for 1972-1978 covering the six major metropolitan areas affected by this rule (Bloomington-Normal, Champaign-Urbana,

Decatur, Rock Island-Moline, Rockford, and Springfield) show that not once did annual arithmetic means exceed the present primary NAAQS of 0.03 ppm. (Page 32).

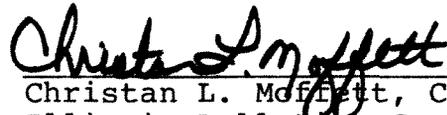
In light of the above monitoring data and in light of the consensus between the Agency, industry participants, and the Board, the Board finds it to be arbitrary to retain Rule 204 (c)(1)(D) of Chapter 2. The Board further finds the rule to be totally unnecessary for the Agency to perform its duties under the Illinois Environmental Protection Act and the Board's regulations. Finally, the Board finds that continuation of the rule would be economically unreasonable in light of the negative benefits to be obtained.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter. Upon publication in the Illinois Register, a 30-day comment period shall begin.

ORDER

It is the Order of the Illinois Pollution Control Board that Rule 204(c)(1)(D) of Chapter 2, Air Pollution Control Rules and Regulations, be deleted.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 7th day of August, 1980 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board