

ILLINOIS POLLUTION CONTROL BOARD
February 15, 1979

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO CHAPTER) R75-5
2, PART II, SULFUR DIOXIDE) R74-2
EMISSIONS.) CONSOLIDATED
)
)

CONCURRING OPINION (by Mr. Dumelle):

My reason for concurring in this Opinion is my preference for retention of a simple numerical pounds-per-million BTU emission limit for large sources. Such a numerical standard has the advantages of saving time and money for affected parties and of being easily understood. In addition, such a standard would tend to keep in use the inexpensive procedure of coal washing to remove large amounts of sulfur. It would also prevent large increases in sulfur dioxide emissions.

The Board's initial proposal in this proceeding contained my recommendation of a 6.8 lbs./MBTU to replace the old 6.0 lbs./MBTU rule. A later Board proposal dropped the 6.8 rule proposal completely but retained it for small sources. At that time I suggested an even looser 7.5 lbs./MBTU level for large sources but it was not accepted by the Board.

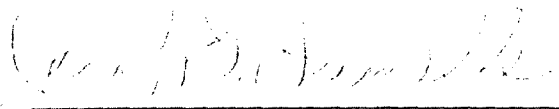
Rule 204(e)(3) as now adopted provides for alternative site-specific determinations before the Board. These case-by-case proceedings are time consuming and require expensive meteorological experts. A rule of the Board should distill from a proceeding the common attributes for a class of sources. To adopt a case-by-case approach is to say that this cannot be done.

This rule revision contains many points with which I fully agree. The "grandfathering in" of sources through retention of old Rule 204(e) as Rule 204(e)(2) is important. If power companies have entered into long term coal supply contracts in reliance upon the old rule they should not now have to change.

The new formula, Rule 204(e)(1), is clearly an improvement over what is now 204(e)(2). The Board should always update the scientific basis for a regulation when better information becomes available.

The non-enactment of a sulfur dioxide limit to a site (the "cap" proposal) is important. Some power plant sites may have been developed with cooling lakes or coal handling facilities designed for additional power generating capacity. These plants should not now be prevented from expansion as planned by a "cap" rule.

This proceeding generally loosens a regulation adopted by the Board in 1972. At that time much of the Board's information was modeled from 1969 data. A re-examination of the need and basis of a regulation should be done periodically in order that current information is considered. I agree with this revision and for the reasons noted above concur in it.



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board do hereby certify that the above Concurring Opinion was submitted this 28th day of February, 1979.



Christan L. Moffett, Clerk
Illinois Pollution Control Board