

ILLINOIS POLLUTION CONTROL BOARD  
January 9, 1975

IN THE MATTER OF: ) R 74-2  
SULPHUR DIOXIDE INQUIRY HEARINGS )

PROPOSAL FOR REGULATORY CHANGE (by Mr. Marder)

The following amendment to Rule 204 of Chapter 2 of the Board's Rules and Regulations is proposed. A statement of need follows. The record gathered in the Inquiry Hearings previously held in this matter shall be incorporated in this proceeding. Public hearings shall be held after due notice is given.

PROPOSED RULE 204 (f)

Existing stationary sources are exempt from the numerical limitations of paragraphs (c), (d), and (e) of this Rule 204, subject to the following:

- (1) A plan shall be filed within 60 days from the date of the adoption of this Rule 204 (f) which will:
  - A. Insure compliance with the numerical provisions of paragraphs (c), (d), or (e) of this Rule 204 by the use of low-sulphur fuels no later than May 31, 1978, or,
  - B. Insure compliance with the numerical provisions of paragraphs (c), (d), or (e) of this Rule 204 by permanent emission reduction techniques while using high-sulphur fuel as a fuel no later than May 31, 1980.
- (2) Any plan filed under 1 (A) or 1 (B) above shall contain at a minimum the following enforceable compliance dates:
  - A. A date certain when a final decision is to be made as to election of a 204 (f) (1) (A) or 204 (f) (1) (B) compliance plan. This date shall be no later than December 31, 1975.
  - B. In the case of a 204 (f) (1) (B) compliance plan, a date certain as to selection of a process to achieve such compliance. Such date shall be no later than May 31, 1976.
  - C. Dates when bids are to be let.
  - D. Dates when final contracts are to be signed.
  - E. Dates for start of construction.
  - F. Dates for end of construction.
  - G. Any other reasonable interim dates requested by the Board or the Agency.

- (3) Quarterly reports shall be filed with the Agency detailing progress made towards compliance.
- (4) The installation and maintenance of such equipment and methods approved by the Agency and within the general guidelines of proposed 40 CFR 51.1 published September 14, 1973 (38 F.R. 25697), which will guarantee the maintenance of the National Ambient Air Quality Sulphur Dioxide Standards. Such methods shall be enforceable on their face and shall be operable no later than May 31, 1976.
- (5) No existing source shall increase its sulphur dioxide emissions above those which such source was emitting on October 31, 1974, unless such increase does not exceed the numerical limitation of paragraphs (c), (d), or (e) of this Rule 204.

Statement of Need:

Rule 204 was originally adopted by the Board on April 13, 1972. Said Rule was adopted along with all of Chapter 2. At the time of adoption, the best available data was used in formulating the Board's rule. A summary of the Board's rationale used in adopting Rule 204 can be found on Page 36 of the Board's Opinion in that matter:

"We believe that this combination of measures will prove adequate, in the immediately foreseeable future, to protect against violation of the air quality standards throughout the State. In contrast to particulate matter, for which stack-cleaning technology is tried, proven, and in long-standing common use, we think it would not be wise to extend the strict sulphur dioxide emission standard state-wide at the present time. In the short term we prefer to permit operators in areas of the State not faced with acute sulphur problems to await further information on emerging technology before committing their resources. The corollary of the principle that the time for action comes sooner in the face of need is that it comes later when the need is less. Moreover, it would not be prudent to dissipate the none-too-abundant supply of low-sulphur fuels by requiring their use in areas without serious air-quality problems." R. 71-23, Pg. 36-37.

On March 7, 1974, the Board issued its Order authorizing Inquiry Hearings, stating that it would be desirable to hold several inquiry hearings to gather information on several points relating to the sulphur dioxide question (see Order, March 7, 1974, R 74-2).

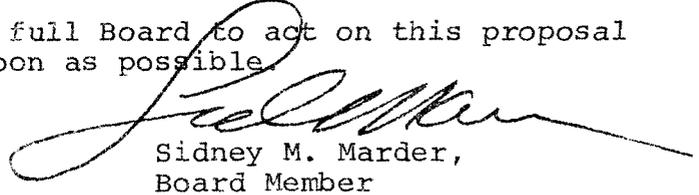
The Inquiry Hearings were held on eight separate days and a wealth of new information was gathered. It is on the basis of information gathered that I realized the need for modification of the present Rule 204.

In proposing the instant rule for hearing, the Board is in no way committed to the exact language or time frames incorporated therein. It is rather my intent to propose a first draft of what I feel is a

warranted change when considering my obligations under the Environmental Protection Act.

I would urge participation of all parties in the comment period and regulatory hearings to follow.

Accordingly, I would request the full Board to act on this proposal and set it for public hearings as soon as possible.



Sidney M. Marder,  
Board Member