

- (b) From the single stack emission limit of 0.60 lbs/MBtu and the site emission limit of 0.24 lbs/MBtu, Rule 3-3.112 of the Air Rules, and Rule 203 (g), on the condition that the total Waukegan Station not be operated above 315 megawatts (one-third of total rated capacity), unless all other available Edison capacity (including the Sabrooke Station and the Powerton Units #1-4, but excluding the fast-start peaking units) has been placed in service.

All of the foregoing variances as to the Waukegan Station are subject to the following terms and conditions:

- (1) Emissions in excess of applicable regulatory site and unit limits shall be permitted only when necessary to meet peak summer demands, system demands when outages necessitate utilization of such facilities and to adequately assure necessary maintenance and repair within the system.
 - (2) Within 30 days from the date hereof, Commonwealth Edison Company shall submit to the Board and the EPA a definitive schedule setting forth the steps that will be taken to bring its Waukegan Station into compliance with the relevant particulate regulations applicable to both the station and the individual units comprising the station.
 - (3) Commonwealth Edison shall submit reports to the Agency and the Pollution Control Board stating when the facility has exceeded 315 megawatts, and the circumstances existing necessitating such use. Such reports will be submitted within two working days.
- "3. Edison is to establish a nine station network of Hi-Vol samplers and SO₂ monitoring devices. Location of the monitoring networks and all other relevant details shall be subject to Agency direction and approval. Daily data is to be furnished to the Agency.
- "4. Edison shall prepare a detailed analysis of the impact, upon Edison's generation system, if the individual units at Waukegan were shut down until such time as they comply with existing rules and regulations. Such analysis shall include a listing of all planned outages for maintenance shutdowns in the Edison system, both as to dates of shutdown and output of the units; all emergency shutdowns in the Edison system; and the impact of Zion production upon Edison's system output. This analysis shall be provided to the Agency by Dec-

ember 4, 1973.

- "5. The Board retains jurisdiction for the entry of such further orders as may be appropriate for Waukegan based on the submissions directed to be filed by Edison. In addition to the foregoing, Edison shall continue with experimentation in the use of additives to achieve compliance by its electrostatic precipitators and shall report to the Agency and to the Board such action as it has taken with respect thereto and the results achieved.
- "6. Edison shall post a \$500,000 bond with the Agency by November 4, 1973, to guarantee its performance and compliance with this Order. Such bond shall be reduced in the following manner:
 - (a) \$100,000 for each unit at the Sabrooke Station, when it has been converted to oil subject to the schedule contained in this order;
 - (b) \$50,000 when the duct work modification on Waukegan Unit #5 is complete;
 - (c) \$40,000 when the air monitoring equipment has been installed and operated at the Waukegan Station, and
 - (d) \$10,000 when the Agency receives the report required by clause 4 of this variance order."

On November 29, 1973, the Board issued a Supplemental Order amending portions of the October 21, 1973, Order as follows:

"A. By amending Section 2 (b) relating to the Waukegan Station to read:

'From the single stack emission limit of 0.60 lbs/MBtu and the site emission limit of 0.24 lbs/MBtu, Rule 3-3.112 of the Air Rules, and Rule 203 (g), on the condition that the total Waukegan Station not be operated above 355 megawatts (the minimum loadings not requiring the use of distillate oil) unless all other available Edison capacity (including the Sabrooke Station and Powerton Units #1-4 but excluding the fast-start peaking units) has been placed in service.'

"B. By amending Subsection 3, one of the paragraphs containing terms and conditions of the Waukegan Station variance to read:

'Edison is to establish a nine station network of Hi-Vol samplers and SO₂ monitoring devices. Locations of the monitoring networks and all other relevant details shall be subject to Agency direction and approval. Daily data is to be furnished by the Agency. Once the network of monitoring stations has been placed in service, the limitation on the operation of the Waukegan station herein specified shall be suspended to allow the accumulation of

relevant data to enable the Board to better evaluate the actual effects of Waukegan Station emissions on ambient air quality. If either 24 or 3 hour SO₂ and particulate air quality standards are exceeded, Edison shall immediately notify the Agency and take necessary steps to protect the surrounding citizens as Edison or the Agency deem necessary. This suspension only applies during testing periods.

"C. By amending Section 1 (b) relating to the Sabrooke Station to read:

'For Units #3, 2, and 1, until those units can be shut down for conversion to oil firing on January 1, 1974, May 1, 1974, and September 30, 1974, respectively, on the condition that in the interim these units will be operated only after all other available Edison capacity (excluding Powerton Units #1-4, the fast-start peaking units, and the Waukegan Station above 355 megawatts) has been placed in service, except that any one of the units may be operated at the minimum level necessary to provide steam for water demineralizing and heating the station, or to prevent stack deterioration.' "

On January 4, 1974, Edison filed its petition in PCB 74-11, requesting extension of the variance granted in PCB 73-40 until October 15, 1974, so as to operate the units in question.

This matter was set for hearing and was consolidated with PCB 74-16 for hearing purposes.

On April 14, 1974, the Board issued an order granting an interim variance to Edison until May 29, 1974, (1) extending the variance granted in PCB 73-40 and amended on November 29, 1973, relating to the Waukegan Station, and (2) the variance granted for the Sabrooke Station and the shutdown order for the Sabrooke Station.

On May 29, 1974, a second interim variance was granted extending the abovementioned variance until August 4, 1974. The shutdown date for the Sabrooke Station was also moved out until August 21, 1974.

In the instant motion Edison requests another interim variance for Sabrooke and Waukegan.

Sabrooke Unit #4 has been converted to oil, and on June 18, 1974, the Federal Energy Office confirmed its oral permission for use of oil in this unit. The F.E.O. also authorized Edison to proceed with conversion of Sabrooke Unit #3 to oil.

Edison has received no reply to its latest request for permission to convert Units #1 and #2 to oil.

Edison estimates a shutdown of 12 weeks in order to convert Units 1, 2, and 3 to oil. Pertaining to Unit #3 Edison alleges it did not have adequate time for conversion before the peak summer load period. Edison feels that the three Sabrooke units should be allowed to continue through the peak summer months, in order to insure adequate capacity.

Therefore Edison is requesting the shutdown date for Units 1, 2, and 3 and variance be extended until October 4, 1974.

On April 17, 1974, Edison placed into operation its Waukegan Air Monitoring network, as per Board Order of October 4, 1973. Edison alleges and submits as proof monitoring results which show that there have been no violations of the primary and secondary SO₂ ambient air standards. Data on particulates are not yet available.²

The hearing record in this case, as well as the record in PCB 74-16, will be available to the Board no later than August 15, 1974.

The Board has grave doubts about granting this variance. First, it should be noted that the Board is very much concerned over the fact that there has been no data submitted on particulate emissions. One of the major factors in granting the original variance was the indication that we would have this data available for the Agency and the Board's information during the period of this variance and thereafter.

The Board fully expected to receive this data. The instant Motion nowhere gives any facts that would mitigate Edison's failure to have this data available. Secondly, the Board is very concerned with the delay in completing the record in this matter. When matters are consolidated, it is to provide a more expeditious resolution of the proceedings. The Board is not pleased with the practice of granting interim variances without a proper record as a condition for a waiver of the 90-day requirement, and this practice will be greatly limited in the near future.

The Board will grant Edison's request for interim variance. This decision is based on two main facts:

1. The Board notes the delay and difficulty Edison has encountered in attempting to gain approval from the F.E.O. to convert Sabrooke to oil. We are also cognizant of the peak load season which is presently upon us.
2. The Board does not have available a complete record of the proceedings, and as such is precluded from rendering a reasoned decision as to the ultimate disposal of this action. This Board action is then based on our desire to provide Edison an opportunity to submit full information for our consideration.

The Variance granted herein is an extension of Variance from the substantive regulation until October 4, 1974, for Rules 3-3.112 and 203 (g) as they apply to the Sabrooke and Waukegan Stations. The shutdown date for the Sabrooke units in question will also be extended until October 4, 1974. All other conditions ordered in PCB 73-40 and last extended on May 29, 1974, are still in full force. If evidence were to indicate that Edison has failed to comply with conditions to

PCB 73-40 from which variance was never extended (e.g., operation and submittal of particulate data) Edison would be subject to enforcement action.


The Board again emphasized that the availability of air quality data was a key consideration in the original variance grant. This provision was specifically included to allow for public notification of high pollutant levels, and to allow the Agency and Edison to take immediate corrective actions. By not supplying such information Edison made this decision much more difficult for the Board. This Board will carefully review the complete record in PCB 73-11 to ascertain why such data was not available.

ORDER

IT IS THE ORDER of the Pollution Control Board that interim variance is granted from Rule 3-3.112 of the Rules and Regulations Governing the Control of Air Pollution and Rule 203 (g) of Chapter 2, Air Pollution Regulations, until October 4, 1974, and the shutdown date for Sabrooke Units #1, 2, and 3 is extended until October 4, 1974.

Mr. Dumelle dissents.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 1st day of August, 1974, by a vote of 4-1.



Christan L. Moffett