

ILLINOIS POLLUTION CONTROL BOARD
January 29, 1976

CENTRAL ILLINOIS PUBLIC SERVICE COMPANY,)
MEREDOSIA STATION,)
 Petitioner,)
))
 v.) PCB 75-325
))
ENVIRONMENTAL PROTECTION AGENCY,)
 Respondent.)

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

This matter comes before the Pollution Control Board (Board) upon the Petition of Central Illinois Public Service Co. (CIPS) as amended October 28, 1975, for variance from Rules 203(g)(1)(c)(i) and 204(e) of the Air Regulations until March 1, 1976. The Environmental Protection Agency (Agency) filed its recommendation with the Board on January 16, 1976.

The Petition seeks variance for CIPS' Meredosia Generating Station in Morgan County, Illinois. CIPS has six boilers at that station with a total generating capacity of 588 MW.

The Board must deny the variance sought herein. In the Illinois Supreme Court Opinion Docket No. 47352 entitled Commonwealth Edison Company v. Pollution Control Board, the judgment of the Appellate Court in 25 Ill. App. 3d 271, reversing the adoption of Rule 203(g)(1) was affirmed. In consideration thereof the Board finds CIPS' petition for variance from that rule to be moot.

With regard to CIPS' petition for variance from Rule 204(e), CIPS has failed to propose any compliance plan which it intends to undertake. While it is true that an amendment to Rule 204(e) is currently under consideration by the Board, this does not excuse Petitioner from undertaking some form of abatement plan. The Board holds that CIPS' Petition is inadequate, and will deny a variance from Rule 204(e).

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

It is the Order of the Board that:

- a) Central Illinois Public Service Company's Petition for variance from Rule 203(g)(1)(c)(i) of the Air Regulations be and is hereby dismissed; and
- b) Central Illinois Public Service Company's Petition for variance from Rule 204(e) of the Air Regulations be and is hereby denied without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 29th day of January, 1976 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board