

ILLINOIS POLLUTION CONTROL BOARD
September 12, 1974

VILLAGE OF WINNETKA)
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)
 v.) PCB 74-180
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)
 ENVIRONMENTAL PROTECTION AGENCY)
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MR. DEAN C. CAMERON and MR. SHELDON A. ZABEL, of SHIFF, HARDIN,
& WAITE, appeared on behalf of Petitioner
MR. PETER E. ORLINSKY, Attorney, Enforcement Section, appeared
on behalf of the Environmental Protection Agency

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

On May 15, 1974 the Village of Winnetka filed a Petition for Variance to extend a previously granted variance. On May 16, 1974 the Board entered a "more information order" which required the Village to file a Stipulation incorporating the record of the previous variance proceeding (PCB 73-338) and provide the environmental impact of the variance, if granted, including the projected particulate levels. On June 21, 1974 the Village filed a Stipulation which met the requirements of the "more information order". On August 5, 1974 the Agency filed a Recommendation to grant the requested variance subject to certain conditions. No hearing was held on this matter.

The Village seeks an extension of a previously granted variance which allowed the Village to burn coal as an alternate fuel in the power plant owned and operated by the Village located at Tower Road and Lake Michigan in Winnetka, Cook County, Illinois. The Village seeks a variance from Rule 3-3.112 of the Rules and Regulations Governing the Control of Air Pollution (Air Rules) in order to allow the emergency use of coal-fired boilers when it is unable to purchase sufficient power from Commonwealth Edison or obtain sufficient quantities of natural gas. The previously granted variance, PCB 73-338, applied to all five boilers located at the Village's plant. However, in the current proceeding the Village only requests the relief for boilers #4, #5, #6, and #7. On January 21 and 22, 1974, the Village performed stack tests on boiler #8 which is equipped with a multi-cone type collector. These stack tests conducted at various operating rates, up to and including 110% of rated capacity, showed particulate emission rates ranging from 0.42 to 0.55 lbs/MBTU. Rule 3-3.112 of the Air Rules allows

0.6 lbs/MBTUs. Therefore, the Village does not need a variance from the Air Rules in order to operate boiler #8. The Village stated that in the eight month period ending May 31, 1974 that it had only operated for approximately eight hours while generating electricity in boiler #7 and that during that eight hour period it operated boiler #7 at approximately 20,000 pounds of steam per hour as contrasted with a rated capacity of 70,000 pounds per hour. In 1973 stack tests of boiler #7 indicated that particulate emissions of 1.16 to 1.31lbs/MBTU would be generated at a steam rate of approximately 60,000 lbs. per hour. Therefore, the one day of operation at 20,000 lbs. per hour should have produced a particulate emission rate of less than 1.16 lbs/MBTU.

The Village has determined that it would cost approximately 2.3 million dollars to install electrostatic precipitators in order to come into compliance with the applicable 1975 air pollution standards. Based upon this figure of 2.3 million dollars, the utilities committee of the Village Council has found that the installation of electrostatic precipitators is not economically feasible. Therefore the Village is proceeding to negotiate a contract with Commonwealth Edison to expand the capacity of the existing interconnection to increase the capacity from 20,000 kw to 30,000 kw, in order to meet the Village electric energy demand without the necessity of reliance upon using coal as a fuel. The Village states that the earliest delivery date given by any supplier of the necessary cable and equipment to install the interconnection arrangement is nine months from the date of a firm order. The Village estimates that it would take 60 days from delivery of such cable and equipment to complete the installation of the equipment at an estimated cost of \$250,000. Therefore, the Village states that it will be prepared to activate the expanded interconnection within eleven months of the date it enters into the contract with Commonwealth Edison to supply the additional power.

The Board has decided to extend the previously granted variance because the Village has complied with all terms and conditions required by the previous order (Village of Winnetka v. EPA, PCB 73-338, 10-423 (December 20, 1973)); the low frequency of reliance upon the requested relief; and the small environmental impact of Petitioner's emissions.

This Opinion constitutes the Board's findings of facts and conclusions of law.

ORDER

The Pollution Control Board hereby grants the Village of Winnetka a variance from Rule 3-3.112 of the Air Rules for boilers #4 thru #7 from May 20, 1974 until May 20, 1975, or until the expanded interconnection with Commonwealth Edison completed, whichever occurs earlier, subject to the following conditions:

- a) The Village shall be allowed to burn coal as a fuel during the following situations:
1. When neither purchase power from the interconnection with Commonwealth Edison nor gas fuel for boilers #4 and #8 is available in sufficient quantity to supply needs for the community.
 2. When purchase power from the interconnection, on an interruptible or demand basis, is available, but gas fuel for boilers #4 and #8 is not available, and Village requirements exceed the 20,000 KW of maximum demand available in the present contract with Commonwealth Edison and exceed any additional power available from Edison.
 3. When gas, as a fuel, is not available, and it is necessary to bank boilers and/or to heat the generating plant. Coal usage, under these circumstances, must not exceed 3% of rated fuel input.
 4. When, as the result of an emergency, as defined in the Village's contract with Edison, in the Commonwealth interconnection system, a contribution of power to the interconnection system from the Village system is required, and gas fuel is not available for boilers #4 and #8 to the extent required and necessary Village requirements plus system requirements exceed the capacity of boilers #4 and #8.
 5. When total capacity tests are required by the interconnecting utility pursuant to Petitioner's contract with Commonwealth Edison Company.
 6. When there is an equipment or system failure which results in a requirement for power generation by the city.

- b) The Village shall submit progress reports, in writing to:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Control Program Coordinator
2200 Churchill Road
Springfield, Illinois 62706

Said reports shall be submitted every 60 days, with the initial report due 30 days from the date of the Board's Order herein. The reports shall contain the status of negotiations with Commonwealth Edison relative to the expanded interconnection, and the status of equipment delivery and installation to accommodate the expanded interconnection.

- c) Within thirty-five (35) days of the date of the Board's Order herein, the Village shall post a performance bond in the amount of \$25,000 in a form satisfactory to the Agency. The purpose of said bond is to assure eventual compliance with Rule 3-3.112 by installing the necessary interconnection equipment. Said bond shall be submitted to:

Illinois Environmental Protection Agency
Fiscal Services
2200 Churchill Road
Springfield, Illinois 62706.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 12th day of September, 1974 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board