

ILLINOIS POLLUTION CONTROL BOARD

November 14, 1974

STATE OF ILLINOIS )  
DEPARTMENT OF CORRECTIONS )  
ILLINOIS YOUTH CENTER )  
PETITIONER )  
)  
)  
)  
v. ) PCB 74-240  
)  
)  
ENVIRONMENTAL PROTECTION AGENCY )  
RESPONDENT )

MR. ROBERT AXELROD, ATTORNEY, in behalf of the ILLINOIS YOUTH CENTER  
MR. PETER ORLINSKY, ATTORNEY, in behalf of the ENVIRONMENTAL PROTECTION  
AGENCY

OPINION AND ORDER OF THE BOARD (by Mr. Marder)

This case comes to the Board on Petition of the Illinois Youth Center, St. Charles, Illinois, for Variance from certain air pollution regulations in order to operate three coal-fired boilers, filed June 25, 1974.

On June 27, 1974, the Board issued an Order requiring Petitioner to file an Amended Petition containing information as to what rule or regulation relief was being requested from, what the emission levels were, and what the characteristics of the area surrounding the facility were.

On July 16, 1974, the Lake Charlotte Property Owners Association filed an objection to the grant of variance, alleging emissions from the facility were of danger to health and safety and further were of a nuisance level, by depositing gritty material on the objectors' property. Because of this objection, the matter was set for hearing. Chap. 111 1/2 I.R.S. Sec. 1037.

On August 19, 1974, Petitioner filed an adequate Amended Petition, requesting variance from Rule 203 (g)(1)(A) of the Air Pollution Control Regulations.

On October 2, 1974, the Agency filed its recommendation that a variance be granted from Rule 3-3.112 of the Rules and Regulations Governing Air Pollution until December 31, 1974. On November 1, 1974, the Agency filed an Amended Recommendation, changing the date the variance should run to from December 31, 1974, to March 31, 1975.

Hearing was held October 16, 1974, at the City Council Chamber, St. Charles, Illinois.

The Illinois Youth Center, St. Charles, is a division of the Department of Corrections. It is responsible for the care and custody of youths committed to the Department of Corrections as juvenile delinquents.

The plant in question is a power house used to supply steam for heat, air conditioning, and hot water. The plant was also used to supply electricity until June 1, 1974, when 40% of the load was reduced as the center began buying electricity from Commonwealth Edison.

As a threshold question, Petitioner is requesting variance from Rule 103 (b) and Rule 203 (g) of the Air Pollution Regulations. Rule 103 (b) requires Petitioner to have a valid operating permit. In general, the Board does not give relief from this Rule, and will not do so here. The Board's usual procedure is to grant relief from substantive rules, so that the Agency will be able to issue the permit. Petitioner has also asked for the wrong relief by requesting variance from Rule 203 (g). This rule does not become effective until May 30, 1975. Therefore, Petitioner will only be protected if it receives variance from Rule 3-3.112 of the Rules and Regulations Governing Air Pollution, and the Board considers the Petition so amended.

The plant has three 35 million BTU spreader stoker coal-fired boilers. There is no control equipment on the boilers. The Agency calculates (using AP 42) that emissions from the units will be 5.77 lbs. per million BTU's actual heat input. The allowable limit under Rule 3-3.112 is 0.6 lbs. per million BTU's. The coal used in the boilers has the following characteristics:

4.6% sulphur  
12.8% ash  
15.8% moisture  
10,104 BTU's as fired.

Compliance for this plant is to remove one of the coal-fired boilers from the plant and replace it with a gas-fired boiler. Problems were encountered in getting funding for this project. As originally envisioned, the coal boiler was to be converted to gas, and funds were appropriated in fiscal year 1972. When it became known that a new gas-fired boiler was available, the amount appropriated for the conversion was cancelled. The money needed for the installation of the new boiler did not become available through the Capital Development Board until July 26, 1974, when Governor Walker signed S.B. 1424.

Since that time, the money (\$150,000) has been released by the Capital Development Board, and an architect has been hired. Architect's drawings are to be done by Dec. 12, 1974, and contracts let by Jan. 15, 1975. Except for unforeseen material shortages or strikes, the evidence shows the work will be done by March 31, 1975. The Center has a firm contract for natural gas to fuel the boiler. This work will bring the plant into compliance with the Air Regulations.

Hardship alleged is that if not given a variance the plant will have to be shut down, and therefore the Center would not have any heat.

The area surrounding the Center is mostly rural, except for the Lake Charlotte property. Therefore, the environmental impact of the discharges should not be great. The objectors and the Agency both agreed at hearing that the variance should be granted if it would put Petitioner on an enforceable time schedule. They fear if the variance were turned down, that though the Center would be subject to prosecution, that compliance might be delayed further (R. 58).

The Agency noted in its Recommendation that Petitioner could alter its supply of coal to that with a higher BTU and lower ash content. This would further reduce the emissions from the plant and will be so ordered.

This Opinion constitutes the findings of fact and conclusions of law of the Board.

ORDER

IT IS THE ORDER of the Pollution Control Board that:

1) Petitioner is granted variance from Rule 3-3.112 of the Rules and Regulations Governing Air Pollution until March 31, 1975, subject to the following conditions:

A) That within 60 days of this Order Petitioner shall begin the use of coal having the following approximate characteristics:

1. 2.7% sulphur
2. 7.0% ash
3. 16.5% moisture
4. 13,000 BTU's lb. dry

B) Respondent shall, within 35 days from the date of this Order, post a performance bond in a form satisfactory to the Agency in the amount of \$25,000 to insure compliance with installation of equipment. Bond shall be forwarded to the Agency at 2200 Churchill Road, Springfield, Illinois 62706.

C) Petitioner shall apply for all necessary construction and operating permits within 21 days of this Order.

D) Monthly reports, beginning 21 days after the entry of this Order, shall be forwarded to the Environmental Protection Agency at 2200 Churchill Road, Springfield, Illinois 62706, detailing progress toward compliance.

2) Variance from Rule 103 (b) is hereby denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted by the Board on the 14<sup>th</sup> day of November, 1974, by a vote of 5 to 0.

Christan L. Moffett