

ILLINOIS POLLUTION CONTROL BOARD  
September 16, 1971

ELECTRIC ENERGY, INC. )  
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 v. ) # PCB 71-170  
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 ENVIRONMENTAL PROTECTION AGENCY )

John Lovett of Benton, Kentucky, for Electric Energy, Inc.  
Delbert D. Haschemeyer of Springfield, for Environmental Protection Agency

Opinion of the Board (by Mr. Currie):

Electric Energy operates a 1050-mw generating station one mile from Joppa on the Ohio River, supplying power chiefly to the AEC for its nearby gaseous diffusion plant. Its boilers are now equipped with mechanical collectors of approximately 77% efficiency, and current particulate emissions are estimated at 1.84 pounds per million btu, or three times the regulation limits. The Air Pollution Control Board in early 1970 approved an air contaminant emission reduction program (ACERP) for this plant, providing for the installation of electrostatic precipitators of 98.6% efficiency to reduce emissions to 0.112 lb/mbtu, well within present limits, by October 1972. Following our decision that approval of such a program is a variance and that reapproval must be sought annually, EPA v. Commonwealth Edison Co., # 70-4 (Feb. 17, 1971), the company submitted the present petition seeking an extension of the variance to permit completion of the program. We grant the variance until July 1, 1972 for reasons given below.

The company has pursued in good faith and with expedition the program approved by our predecessor agency. To close the plant now would be inconceivable; it would among other things deprive the AEC of its source of power. The company's progress is admirable; it has not only adhered to its agreed completion dates, it has accelerated them, now promising completion of the installation by June 11, 1972, and agreeing that extension to July 1 of that year will give time for testing and debugging. It should be noted that the program provides for completion of several of the units substantially in advance of those dates.

In regard to the time question it is pertinent to note this company's solution to the troublesome problem of how one installs collection equipment within a reasonable period on a number of boilers that cannot all be shut down at the same time:

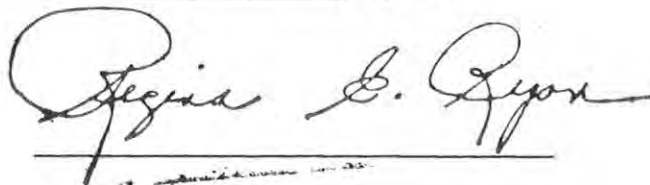
It was originally estimated it was four years [to complete the job] because it involved shutting the units down one at a time and removing the old precipitator and putting in new ones in some cases and in other ones to add on. . . . Combustion Engineering . . . made a study . . . whereby we could actually work on all six units at one time and leave the equipment operating and then make a short cut-in at a convenient time that would fit in the construction schedule and the operating schedule. (R. 22-23).

The Agency initially recommended that a bond be required to assure compliance. The company responded that nearly all the equipment had already been paid for; that it was required by its contracts to issue additional bonds to finance the remaining work; and therefore that its commitments constitute adequate alternative security to assure that it will do what is required. We agree and therefore do not require the posting of a bond.

ORDER

After consideration of the record, the Board hereby grants Electric Energy, Inc. a variance from relevant sections of the Rules and Regulations Governing the Control of Air Pollution to permit continued operation of its generating station while completing its control program, until July 1, 1972. The failure to adhere to that program or to file reports every six months shall be grounds for terminating this variance.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 16 day of September, 1971.



Regina E. Ryan