

January 19, 2000

Don Sutton, Manager
Permit Section
Bureau of Air
Illinois Environmental Protection Agency
P. O. Box 19276
1021 North Grand Avenue East
Springfield, Illinois 62702-9276

Dear Mr. Sutton:

This letter is in response to your November 22, 1999, letter requesting guidance on the applicability of the Prevention of Significant Deterioration (PSD) rules and New Source Performance Standards (NSPS) to two coal-fired boilers at the Physical Plant on Eastern Illinois University's (EIU) Charleston, Illinois campus. Based on the information provided, we have determined that the project requires review under the PSD program. We have also determined that EIU's proposed project will not subject the boilers to the requirements of the NSPS found at 40 CFR 60 Subpart Dc.

You also requested that we address whether the restart of these boilers in 1984 was a major modification under PSD as a "change in the method of operation of a major stationary source that would result in a significant net emissions increase", as defined in 40 CFR 52.21(b)(2)(i). The information provided to us does not demonstrate whether the applicant took appropriate actions between 1969 and 1984 to prevent the 1984 restart from being a major modification.

Today's PSD determination is based on the conclusion that the relaxed production and emissions limits requested by EIU constitute a major modification of the boilers. In your letter, you ask about 40 CFR 52.21(b)(2)(iii)(f) regarding major modifications. This paragraph exempts from PSD, "an increase in hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975". Construction permit 84040018, issued in August of 1984, included federally enforceable restrictions on the operation of the

boilers. EIU's May, 1999 application proposes limits that relax the 1984 permit to expand the capacity of the boilers, consistent with their original design. Therefore, the proposed project does not qualify for the exemption in 40 CFR 52.21(b)(2)(iii)(f).

The NSPS determination can be explained as follows. First, the boilers should be treated as existing units rather than new construction for purposes of 40 CFR 60.40c. Data indicate that boilers #2 and #3 were constructed in 1962 and 1966, respectively, and appear to have been maintained in operable condition since shutdown in 1994. Regular maintenance performed on the units, emission inventory reports and renewed state operating permits help support this conclusion.

For an existing source to become subject to NSPS, it must undergo a modification as defined in 40 CFR 60.14 (a) or a reconstruction as defined in 40 CFR 60.15. Based on the information provided, the proposed project to restart the boilers, repair the baghouse and upgrade the scrubber requires minimal work to the boilers. Also based on information provided, other work performed since June 9, 1989, has been minimal. This project falls within the terms of 40 CFR 60.14 (e), and is not a modification under 40 CFR.14 (a). Therefore the Physical Plant is not subject to NSPS.

In preparing the above response, we came across an issue on which you did not directly request our guidance. To be fully responsive to the spirit of your letter, we are offering the following perspective, regarding the treatment of the Physical Plant as a non-major source. The data show that the combined heat input of boilers #2, #3, #4 and #5 is greater than 250 million Btu/hr. 40 CFR 52.21(b)(1)(i)(a) lists which source categories have a major source threshold of 100 tons/yr. The list includes "fossil fuel boilers (or combinations thereof) totaling more than 250 mmBtu/hr heat input". This means the Physical Plant has a 100 ton major source threshold. We will be glad to work with you as needed to help interpret and address this requirement.

I hope this letter has provided clear and useful information. If you have any further questions, please contact Lauren Steele, of my staff, at (312) 353-5069.

Sincerely yours,

/s/

Pamela Blakley, Chief
Permits and Grants Section (IL/IN/OH)