

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
AIR POLLUTION CONTROL COMMISSION

In the matter of administrative proceedings
against the CITY OF TRAVERSE CITY, BOARD
OF LIGHT AND POWER, doing business in
Garfield Township, City of Traverse City,
County of Grand Traverse, State of
Michigan.

SIP No. 23-1981

STIPULATION FOR ENTRY OF CONSENT ORDER
AND
FINAL ORDER

This proceeding resulted from allegations by the staff of the Air Quality Division of the Department of Natural Resources (hereinafter referred to as the "Staff"). The Staff alleges that the City of Traverse City, Board of Light and Power, a municipal corporation (hereinafter referred to as the "City"), located in Garfield Township, City of Traverse City, County of Grand Traverse, State of Michigan, is emitting particulate emissions from its facilities which if not reduced by December 31, 1982, will be in excess of allowable limits as established by Administrative Code 1980 AACCS, R 336.1331. The City and the Staff agree to the termination of this proceeding by entry of a Final Order by consent.

The City and the Staff agree as follows:

1. The City admits that the Chief of the Air Quality Division of the Department of Natural Resources is authorized by resolution of the Air Pollution Control Commission (hereinafter "Commission") adopted June 28, 1977, as agent of the Commission to enter into this Final Order by consent.

2. The City stipulates that the Chief of the Air Quality Division of the Department of Natural Resources is charged with the investigation and enforcement of all orders, regulations, rules, standards and statutes of the State of Michigan concerning the emission and control of air contaminants.

3. The City stipulates that the termination of this matter by a Final Order to be entered as a Consent Order is proper and acceptable.

4. The City and the Staff agree that the signing of this Stipulation is for settlement purposes only and does not constitute an admission by the City that the law has been violated. Both Staff and the City agree that the particulate emissions from the coal-fired boilers should be abated. The City shall achieve compliance with the aforementioned regulations in accordance with the following schedule:

A. BOILERS NO. 1 AND NO. 2

- (1) After November 1, 1981, the particulate emissions from the No. 1 and No. 2 boilers shall not exceed 0.58 pounds particulate per 1,000 pounds of exhaust gases (corrected to 50 percent excess air) nor exceed 20 percent opacity (except as otherwise provided in Rule 301 of the Commission's rules).
- (2) By March 1, 1982, the City shall complete the testing (conducted according to procedures approved by Staff) of Boiler No. 2 and submit to the Staff the detailed report of the test data and results.
- (3) After December 31, 1982, the City shall not operate the No. 1 and No. 2 boilers except during periods of necessary downtime of Boiler No. 4 and provided the purchase of power and operation of Boiler No. 3 is not available. The operation of the No. 1 and No. 2 boilers shall not exceed three (3) weeks per year and the City shall notify the District Engineer, Air Quality Division, Department of Natural Resources, within one (1) work day after startup and operation shall cease as soon as the operation of Boiler No. 4 is available.

B. BOILER NO. 4

- (1) With the effective date of this Order and until December 31, 1982, the particulate emissions from Boiler No. 4 shall not exceed 0.58 pounds of

- particulate per 1,000 pounds of exhaust gas (corrected to 50 percent excess air) nor exceed 20 percent opacity (except as otherwise provided in Rule 301 of the Commission's rules).
- (2) On January 29, 1981, the City submitted to Staff, pursuant to the Commission's rules, an application for an installation permit describing the air pollution control device(s) and/or other equipment to be used to control the particulate emissions from the coal-fired boiler No. 4 to obtain compliance with the Commission's rules.
 - (3) By November 1, 1981, the City shall submit to the Staff evidence to substantiate that the required air pollution control device(s) and/or other equipment to be used to control the particulate emissions from the coal-fired boiler No. 4 have been placed on order with the manufacturer.
 - (4) By December 1, 1981, the City shall begin on-site installation of said air pollution control device(s) and/or other equipment and notify the Staff in writing that this installation has begun.
 - (5) By June 15, 1982, the City shall have placed in operation said air pollution control device(s) and/or other equipment and notify the Staff in writing that the device(s) and/or equipment have been placed in operation.
 - (6) By July 1, 1982, the City shall complete the installation of an opacity monitor which meets the performance specifications of Appendix B of 40 CFR, Part 60 (1978). Data from this monitor shall be maintained by the Company for a period of at least six (6) months and available for inspection by the Staff upon request.
 - (7) By September 1, 1982, the City shall complete the testing (conducted according to procedures approved by Staff) of said air pollution control device(s) and/or other equipment and submit to the Staff the detailed report of

(8) By December 31, 1982, the particulate emissions from Boiler No. 4 shall not exceed 0.30 pounds per 1,000 pounds exhaust gas (corrected to 50 percent excess air) nor exceed 20 percent opacity (except as otherwise provided in Rule 301 of the Commission's rules).

5. The Staff and the City do not regard this abatement program as a variance subject to the 12-month limitation specified in Section 22 of the Air Pollution Act, being MCLA 336.32. Approval of this abatement program is not a major state action for purposes of further environmental review pursuant to Executive Order 1974-4.

6. Staff and the City both acknowledge that a public hearing on this abatement program was held on July 21, 1981. Both Staff and the Company consent to enforcement of this Stipulation and Final Order in the same manner and by the same procedures for all final orders entered pursuant to Section 16 of 1972 PA 257, MCLA 336.26, including enforcement pursuant to 1970 PA 127, MCLA 691.1201 et. seq.; MSA 14.528(201) et. seq.

Approved as to Form and Content:

Jancy Hayward
CITY OF TRAVERSE CITY
BOARD OF LIGHT AND POWER
Dated: Dec 10, 1981

William F. Strom
CITY OF TRAVERSE CITY
BOARD OF LIGHT AND POWER
Dated: December 9, 1981

Approved as to Content:

Robert P. Miller
Robert P. Miller, Acting Chief
AIR QUALITY DIVISION
DEPARTMENT OF NATURAL RESOURCES

Approved as to Form:

Stewart H. Freeman
Stewart H. Freeman
Assistant Attorney General
DEPARTMENT OF ATTORNEY GENERAL

FINAL ORDER

This Commission having had opportunity to review the above stated Stipulation for Entry of Consent Order, and this Commission having authorized the Chief of the Air Quality Division of the Department of Natural Resources as agent of the Commission to enter into consent orders,

IT IS ORDERED that this Consent Order shall be entered in the record of this Commission as stated herein.

AIR POLLUTION CONTROL COMMISSION

By: Robert Miller
Robert P. Miller, Acting Chief
Air Quality Division
Department of Natural Resources

Dated: 1/7/82