

(60)

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

In the Matter of Establishing Sulfur)
Dioxide Emission Limitations for the) 86-241099910-J01 ORDER
University of Wisconsin - Milwaukee Central)
(Downer) Heating Plant, 3359 N. Downer)
Milwaukee, Wisconsin 53201)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

The Department of Natural Resources, hereinafter DNR, finds that:

1. The University of Wisconsin - Milwaukee Central (Downer) Heating Plant is located at 3359 N. Downer in Milwaukee, Wisconsin.
2. The University of Wisconsin - Milwaukee operates the following direct source(s) capable of emitting sulfur dioxide at this location:
 - a. Stack S10, Boiler B20A: A 150.0 million BTU per hour steam generating unit.
 - b. Stack S10, Boiler B20B: A 150.0 million BTU per hour steam generating unit.
 - c. Stack S10, Boiler B20C: A 150.0 million BTU per hour steam generating unit.
 - d. Stack S11, Boiler B21: A 77.5 million BTU per hour steam generating unit.
3. Section NR 154.12(11), Wis. Adm. Code, establishes statewide sulfur dioxide emission limitations in order to ensure that all areas in Wisconsin will attain the National Ambient Air Quality Standards for sulfur dioxide by December 31, 1987.
4. Section NR 154.12(11)(d), Wis. Adm. Code, states that the DNR may require a source to meet a more restrictive emission limitation than the categorical emission limitations which would otherwise be applicable under sec. NR 154.12(11)(b) or (c), Wis. Adm. Code, if the DNR determines that a more restrictive emission limitation is required to ensure that the source will not cause or exacerbate a violation of an ambient air quality standard or air increment for sulfur dioxide.
5. The DNR has determined that more restrictive emission limitations are required to ensure that the University of Wisconsin - Milwaukee Central (Downer) Heating Plant will not cause or exacerbate a violation of an ambient air quality standard or air increment for sulfur dioxide.

CONCLUSIONS OF LAW

The DNR concludes that:

1. The DNR has the authority under sec. 144.31(1), Stats., to promulgate rules to establish emission limitations.

2. The operation of direct source(s) of sulfur dioxide by the University of Wisconsin - Milwaukee is subject to the limitations contained in sec. NR 154.12(11), Wis. Adm. Code.
3. The DNR has the authority under sec. NR 154.12(11)(d), Wis. Adm. Code, to establish a more restrictive sulfur dioxide emission limitation than the categorical emission limitations.
4. The DNR has the authority under sec. 144.31(2)(b), Stats., to issue this administrative order.
5. The issuance of this administrative order is reasonable and necessary to accomplish the purposes of secs. 144.30 to 144.426, Stats., and sec. NR 154.12(11), Wis. Adm. Code.

ORDER

It is therefore ordered that the University of Wisconsin - Milwaukee Central (Downer) Heating Plant shall meet the following emission limitation(s) by December 31, 1987:

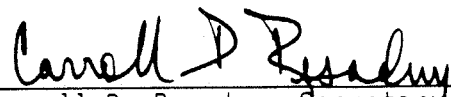
- a. Stack S10, Boiler B20A: 0.55 pounds of sulfur dioxide per million BTU heat input to any stack.
- b. Stack S10, Boiler B20B: 0.55 pounds of sulfur dioxide per million BTU heat input to any stack.
- c. Stack S10, Boiler B20C: 0.55 pounds of sulfur dioxide per million BTU heat input to any stack.
- d. Stack S11, Boiler B21: 0.55 pounds of sulfur dioxide per million BTU heat input to any stack.
- e. That the maximum simultaneous operating heat input rate of Boilers B20A, B20B, B20C, and B21, when firing fuel oil, be restricted to 375 million BTU per hour.

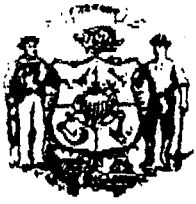
NOTICE

This administrative order is effective immediately unless a petition for a contested case hearing for administrative review of this order is filed with the DNR under sec. 144.403, Stats., within 30 days after the date of this order. Any petition for a hearing should name the Wisconsin Department of Natural Resources as respondent. The petition must set forth specifically the issue sought to be reviewed, the interest of the petitioner, the reasons why a hearing is warranted and the relief desired. This notice is provided pursuant to sec. 227.48(2), Stats., (as renumbered by 1985 Wisconsin Act 182).

Dated at Madison, Wisconsin this 5th day of October, 1986.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES


Carroll D. Besadny, Secretary



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES (H H)

Carroll D. Besadny

Secretary

BOX 7921

MADISON, WISCONSIN 53707

October 2, 1986

IN REPLY REFER TO: 4530

Mr. William H. Rowe
Energy Manager, Physical Plant Services
University of Wisconsin-Milwaukee
P.O. Box 413
Milwaukee, WI 53201

Subject: Statewide Sulfur Dioxide Rule
Section NR 154.12(11), Wis. Adm. Code

Dear Mr. Rowe:

Since 1985, the Department has been in contact with facilities concerning compliance with the statewide sulfur dioxide rule, which became effective February 1, 1985. More recently, you have been notified of modeling performed to determine the emission limitations your source will be required to meet to ensure attainment of the sulfur dioxide ambient air quality standards.

Based upon the results of that modeling, the UW-Milwaukee Central (Downer) Heating Plant submitted compliance plans on September 22, 1986. The Department of Natural Resources, Southeast District Air Management Section has reviewed these plans, and approval of these plans is hereby granted subject to the following conditions:

1. That all fuel oil fired at the U.W.-Milwaukee Central (Downer) Heating Plant have a sulfur content which will result in a sulfur dioxide emission rate of less than 0.55 lbs. of sulfur dioxide per MMBTU input.
2. That each delivery of residual fuel oil received by the U.W.-Milwaukee Central (Downer) Heating Plant be sampled and analyzed for sulfur content and heating value. The sampling and analysis may be performed by either the supplier or by the U.W.-Milwaukee Central (Downer) Heating Plant.
 - a. That ASTM D4057, Sampling Petroleum and Petroleum Products, be used to sample the fuel oil.
 - b. That ASTM D240, Heat of Combustion of Liquid Hydrocarbon Fuels by a Bomb Calorimeter, be used to determine heat value of the residual fuel oil.
 - c. That ASTM D129, Sulfur in Petroleum Products (General Bomb Method), be used to determine sulfur content.
 - d. That these sampling and analysis records be kept on file and available for inspection for a minimum of five years.

Mr. William H. Rowe - October 2, 1986

2.

3. That the maximum simultaneous operating heat input rate of Boilers B20A, B20B, B20C and B21, when firing fuel oil, be restricted to 375 million BTU per hour.

Please be advised that under existing rules, sec. NR 154.06(2) and (5), Wis. Adm. Code, a source can be requested to perform a stack test to determine whether a violation of emission limitations is occurring, regardless of a source's compliance status as determined by the source's site specific compliance methodology in the approved plan.

The Department may further modify or rescind this approval because of any future administrative rule changes, failure to comply fully with the conditions of this approval, or other reasons which justifies modification or rescission of the approval.

Since the emission limitations for the UW-Milwaukee Center (Downer) Heating Plant are more restrictive than the categorical emission limitations contained in sec. NR 154.12(11), Wis. Adm. Code, it is necessary for the Department to establish the more restrictive limitations through a legally binding mechanism. This could be accomplished through issuance of your mandatory operation permit, or through issuance of an administrative order. Because the issuance date of your mandatory operation permit is presently uncertain, the Department has chosen to issue an administrative order to establish the more restrictive limitations. A copy of that administrative order is attached. In summary, the order restates the more restrictive limitations that have previously been developed and thus the limitations which UW-Milwaukee Central (Downer) Heating Plant is now required to meet.

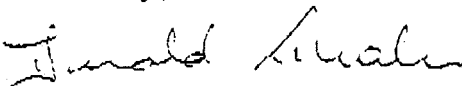
If you have any questions or comments concerning this matter, please feel free to contact Craig Beeson at 414-562-9562.

NOTICE OF APPEAL RIGHTS

Any person aggrieved by this decision may seek a contested case hearing by serving a petition for hearing, in accordance with the provisions of sec. 144.403, Stats., on the Secretary of the Department of Natural Resources within 30 days after the date of this decision. This notice is provided pursuant to sec. 227.48(2), Stats.*, and should not be construed as an indication that the Department believes that any person has a right to appeal this decision.

* This citation has been renumbered as the result of 1985 Wisconsin Act 182, published April 21, 1986.

Sincerely,



Donald F. Theiler, Director
Bureau of Air Management

DFT:jah/9328Q

Attachment

cc: Ralph Patterson - AM/3
Brian Galley - AM/3
Tom Steidl - LC/5