

(22)

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

In the Matter of Establishing)
Sulfur Dioxide Emission Limitations) 86-252006370-J01 ORDER
for S.C. Johnson and Son, Inc. Waxdale)
Plant, Willow Road, Sturtevant, Wisconsin)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

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

1. S.C. Johnson and Son, Inc., Waxdale Plant is located at Willow Road in Sturtevant, Wisconsin.
2. S.C. Johnson and Son, Inc. operates the following direct source(s) capable of emitting sulfur dioxide at this location:

Stack S10, Boiler B20: A 80.0 million BTU per hour steam generating unit.
Stack S11, Boiler B21: A 80.0 million BTU per hour steam generating unit.
Stack S12, Boiler B22: A 60.0 million BTU per hour steam generating unit.
Stack S13, Boiler B23: A 60.0 million BTU per hour steam generating unit.
3. Section NR 417.07, 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 417.07(4), 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 417.07(2) or (3), 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 S.C. Johnson and Son, Inc. Waxdale 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 S.C. Johnson and Son, Inc., Waxdale Plant is subject to the limitations contained in sec. NR 417.07, Wis. Adm. Code.
3. The DNR has the authority under sec. NR 417.07(4), 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 417.07, Wis. Adm. Code.

ORDER

It is therefore ordered that S.C. Johnson and Son, Inc. Waxdale Plant shall meet the following emission limitation(s) by December 31, 1987:

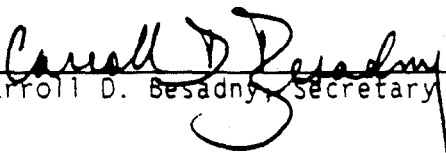
- a. Stack S10, Boiler B20: 1.22 pounds of sulfur dioxide per million BTU heat input to any stack.
- b. Stack S11, Boiler B21: 1.22 pounds of sulfur dioxide per million BTU heat input to any stack.
- c. Stack S12, Boiler B22: 1.22 pounds of sulfur dioxide per million BTU heat input to any stack.
- d. Stack S13, Boiler B23: 1.22 pounds of sulfur dioxide per million BTU heat input to any stack.
- e. The maximum simultaneous operating heat input rate of BOilers B20, B21, B22 and B23, when burning residual fuel oil, shall be restricted to 160 million BTU per hour.

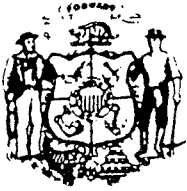
NOTICE

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 13th day of October, 1986.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES


Carroll D. Besadny, Secretary



State of Wisconsin

DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny
Secretary

BOX 7921
MADISON, WISCONSIN 53707

October 13, 1986

File Ref: 4530

Mr. Thomas T. Stocksdale, Manager
Environmental Engineering
S.C. Johnson & Son, Inc.
1525 Howe Street
Racine, WI 53403-5011

Re: Statewide Sulfur Dioxide Rule
Section NR 417.07 Wis. Adm. Code
(Formerly NR 154.12(11))

Dear Mr. Stocksdale:

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, S.C. Johnson and Son, Inc. Waxdale Plant submitted compliance plans in September 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 S.C. Johnson & Son, Inc., will monitor and require its supplier to furnish its sulfur content (by weight %) and heat content (BTU data) on each shipment of the purchased residual fuel oil.
2. They should further indicate to the fuel supplier that it apply the following ASTM or other methods that would be equivalent to the ASTM method when sampling and performing the analysis which would be part of the facilities compliance demonstration.
 - a. Sample Collection ASTM D270
 - b. Sulfur Content ASTM D129
 - c. Caloric Value (heat content) ASTM D240
3. The facility shall furnish the above referenced test results annually with the Air Emissions Inventory Update (NR 101 Report).
4. That S.C. Johnson & Son, Inc., shall meet the determined SO₂ more restrictive emission limit of 1.22 pounds/MMBTU on their residual fuel oil.

5. That the maximum simultaneous operating heat input rate of Boilers B20, B21, B22 and B23 be restricted to 160 million BTU per hour.

Please be advised that under existing rules 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 S.C. Johnson and Son, Inc. Waxdale Plant are more restrictive than the categorical emission limitations contained in sec. 417.07, 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 S.C. Johnson & Son, Inc. Waxdale Plant is now required to meet.

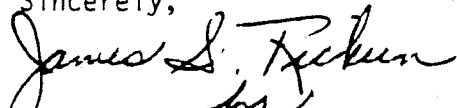
If you have any questions or comments concerning this matter, please feel free to contact Steve Harton at 414/562-9585.

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 a result of 1985 Wisconsin Act 182, published April 21, 1986.

Sincerely,


Donald F. Theiler, Director
Bureau of Air Management

DFT:BG:pjk
Attachment

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