

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)
)
 Illinois Power Company) **NOTICE OF VIOLATION**
 Baldwin Power Station)
 Baldwin, Illinois) **EPA-5-00-IL-9**
)
 Proceedings Pursuant to)
 Section 113(a)(1) of the)
 Clean Air Act, 42 U.S.C.)
 § 7413(a)(1))

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Illinois Power Company (IPC) - Baldwin Power Station is violating the Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. U.S. EPA approved Illinois Administrative Code Title 35, § 212.123 (1988), governing visible emissions, as part of the Illinois SIP on December 29, 1992, 57 Fed. Reg. 61834.
2. Illinois Administrative Code Title 35, § 212.123(a), "Limitation for All Other Sources," provides an opacity limitation of 30 percent, applicable to any emissions source not subject to the new source opacity standards set forth at Illinois Administrative Code Title 35, § 212.122.
3. Illinois Administrative Code Title 35, § 212.123(b) includes an exception which allows for the emission of smoke with an opacity greater than 30 percent, but not greater than 60 percent, for a period or periods totaling 8 minutes in any 60 minute period, provided that such more opaque emissions during any 60 minute period shall occur from only one emission source located within a 1000 foot radius of any other such emission source and provided further that such more opaque emissions from each such source shall be limited to three times in a 24 hour period.

Baldwin Power Station

4. IPC owns and operates three coal-fired boilers at its Baldwin Power Station located at 10901 Baldwin Road, Baldwin, Illinois.
5. These boilers are designated as Unit 1, Unit 2 and Unit 3.
6. Emissions from IPC's three coal-fired boilers at its Baldwin Power Station are subject to the visible emission limits in the Illinois SIP, Illinois Administrative Code Title 35 § 212.123.

Violations

7. On May 11, 1999, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 1 stack. U.S. EPA alleges that these violations are continuing until such time as IPC provides visible emission observations conducted in accordance with EPA Method 9 demonstrating that this source has returned to continuous compliance.

Time	Opacity 6-minute average	Time In Violation ¹
11:41am - 11:46am	47.5	
11:47am - 11:52am	40.6	
11:53am - 11:58am	50.8	
11:59am - 12:04pm	49.4	
12:05pm - 12:10pm	49.6	22 minutes

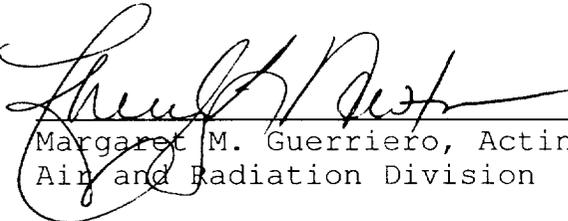
8. On May 13, 1999, U.S. EPA documented violations of the applicable opacity limitation based on the following visible emission observations conducted in accordance with EPA Method 9 at the Unit 2 stack. U.S. EPA alleges that these violations are continuing until such time as IPC provides visible emission observations conducted in accordance with

¹ 8-minute per hour exception applied for opacity readings greater than 30% but not greater than 60%.

EPA Method 9 demonstrating that this source has returned to continuous compliance.

Time	Opacity 6-minute average	Time In Violation ²
8:02am - 8:07am	46.1	
8:08am - 8:13am	49.2	4 minutes

1/14/00
Date


Margaret M. Guerriero, Acting Director
Air and Radiation Division

² 8-minute per hour exception applied for opacity readings greater than 30% but not greater than 60%.

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation,
No. EPA-5-00-IL-9, by Certified Mail, Return Receipt Requested,
to:

Keith A. McFarland, Plant Manager
Illinois Power Company
Baldwin Power Station
10901 Baldwin Road
Baldwin, Illinois 62217-1549

I also certify that I sent copies of the Notice of Violation
by first class mail to:

David Kolaz, Manager
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, Illinois 62702

Sheldon A. Zabel
Schiff Hardin & Waite
6600 Sears Tower
Chicago, Illinois 60606

Rick Diericx, Air Group Leader
Illinois Power Company
500 South 27th Street
Decatur, Illinois 62521

on the 14 day of January, 2000.

Shanee Rucker
Shanee Rucker, Secretary
AECAS, (MI/WI)
(312) 886-6086

CERTIFIED MAIL RECEIPT NUMBER: P564 485 679