

ILLINOIS POLLUTION CONTROL BOARD  
September 22, 1988

CITY OF CHESTER, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 88-154  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (By J.D. Dumelle):

This matter comes before the Board upon receipt of an Agency Recommendation dated September 20, 1988. The Recommendation concerns the requests of the City of Chester for a provisional variance from 35 Ill. Adm. Code 304.120 and 304.121, allowing the City to bypass water treatment facilities for three days while repair work is completed.

The City of Chester is currently required to meet effluent limitations of 20 mg/l CBOD and 25 mg/l TSS (monthly averages) and fecal coliform limits of 400 per 100 ml for daily maximum. The City of Chester is requesting average effluent limits of 90 mg/l BOD and 121 mg/l TSS during the variance period. The Agency, however, believes that higher values of 100 mg/l BOD and 130 mg/l TSS will be experienced during the shut-down period.

After reviewing the request, the Illinois Environmental Protection Agency has determined that granting of this short-term variance would cause minimal environmental impact; and that there are no Federal laws precluding the granting of the requested provisional variance. The Agency further concluded that denial of the requested variance would create an arbitrary and unreasonable hardship on Petitioner; and concludes by recommending that the requested variance be granted.

For the reasons set forth above, the Board hereby grants Petitioner, the City of Chester, a variance from the limitations set forth at 35 Ill. Adm. Code 304.120 and 304.121 subject to the following conditions:

- a) This variance shall commence upon initiation of bypassing of the treatment plant and continue for a period of 3 days or until the treatment plant is returned to service whichever occurs first.

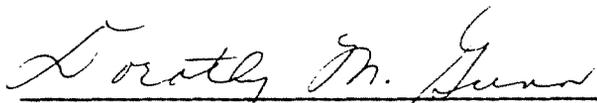
- b) Petitioner shall notify Barb Conner via telephone at 217/782-9720 when the bypassing of the treatment plant is begun and when the plant is returned to service. Each telephone notification shall be confirmed within 5 days with a written notice submitted to the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Compliance Assurance Section  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276  
Attn: Barb Conner

- c) During the period of this variance, the effluent discharged shall be limited to 100 mg/l BOD and 130 mg/l TSS (daily average) and there shall be no fecal coliform limits on the Petitioner's effluent.
- d) Petitioner shall sample and perform laboratory analyses as required in NPDES permit #IL0028045.
- e) Petitioner shall submit to the Agency by November 1, 1988 a plan which includes a schedule for treatment facility modifications to prevent the need for total plant bypassing in the future.
- f) Petitioner shall return the wastewater treatment plant to service as quickly as possible.
- g) Within 10 days of the date of the Board's Order, Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to Mark T. Books at the address indicated above.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 22<sup>nd</sup> day of September, 1988 by a vote of 7-0.



Dorothy M. Gunn  
Illinois Pollution Control Board