ILLINOIS POLLUTION CONTROL BOARD March 20, 1980

MOBIL CHEMICAL COMPANY,)
Petitioner,)
v.) PCB 80-1
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent.)

OPINION AND ORDER OF THE BOARD (by Dr. Satchell):

This matter comes before the Board upon a petition and amended petition for variance filed January 2 and January 21, 1980 by Mobil Chemical Company (Mobil). The petition requests a variance from the effluent standard for total dissolved solids (TDS) which is contained in Rule 408(b) of Chapter 3: Water Pollution. On February 27, 1980 the Environmental Protection Agency (Agency) recommended that the variance be granted with conditions. Hearing was waived and no public comment has been received.

Mobil has a facility in Joliet, Will County, which manufactures styrene, acrylonitrile and butadiene-based copolymer resins. The Board previously granted this facility a variance from Rule 408(b) (Rexene Styrenics Co. v. EPA, PCB 78-48, 30 PCB 535, June 22, 1978). Mobil acquired Rexene's operation on May 14, 1978. The variance is to expire on June 22, 1980 or upon adoption of the proposed deletion of Rule 408(b) in R76-21. Mobil presently has NPDES permit IL 0001619 which expires March 31, 1981. Mobil has requested extension of the previous variance to the date of expiration of the permit. At Mobil's request the record in the previous case will be incorporated by reference.

Rule 408(b) sets an upper limit of 3500 mg/l for TDS discharges. Mobil's discharge exceeds this level even though process water is recycled or treated in an activated sludge unit prior to discharge to the Des Plaines River. The maximum daily discharge under the previous variance was 15,000 pounds (6800 kg) of dissolved solids per day. The Agency does not deny Mobil's assertion that this would have no significant effect on water quality in the river.

The Board finds that, for the same reasons as set forth in its Opinion and Order of June 22, 1978, denial of the requested variance extension would impose an arbitrary and unreasonable hardship.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

Petitioner Mobil Chemical Company is granted a variance from Rule 408(b) of Chapter 3: Water Pollution for its polymer manufacturing facility in Joliet, subject to the following conditions:

- 1. This variance will expire on March 31, 1981 or upon adoption of a Final Order modifying Rule 408(b) of Chapter 3 in R76-21, whichever occurs first.
- 2. During the period of this variance Petitioner shall not discharge more than 15,000 pounds per day of total dissolved solids.
- 3. The Agency, pursuant to Rule 914 of Chapter 3: Water Pollution, shall modify the NPDES Permit IL 0001619 consistent with the conditions set forth in this Order.
- 4. Within forty-five days of the date of this Order, Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Variance Section, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Acceptance and Agreement to be bound to all terms and conditions of this variance. This forty-five day period shall be held in abeyance for any period this matter is being appealed. The form of the Certificate shall be as follows:

CERTIFICATION

I, (We),	, having
read and fully understanding	
hereby accept that Order and its terms and conditions.	agree to be bound by all of
SIGNED	
TITLE	
DATE	

IT IS SO ORDERED.

I,	, Christ	an L.	Moffett,	Cler	k of	the	Illir	nois	Pol	Lut	ion
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adopted	on the	204	day	of 🌶	nau			, 19	980 k	эΣ	a
vote of	4-0										

Christan L. Moffert, Clerk Illinois Pollution Control Board