

ILLINOIS POLLUTION CONTROL BOARD

May 7, 1992

IN THE MATTER OF:)
)
PETITION OF JEFFERSON) AS 92-3
SMURFIT CORPORATION FOR AN) (Adjusted Standard)
ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE 304.105)
AND 302.208)

ORDER OF THE BOARD (by R.C. Flemal):

This petition for adjusted standard was filed on April 22, 1992. A review of this petition pursuant to Section 28.1 of the Act and 35 Ill. Adm. Code 106.Subpart G indicates the following deficiencies:

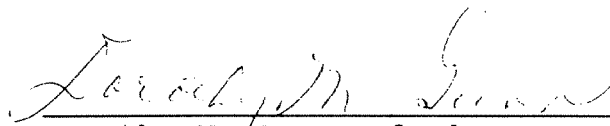
1. Smurfit has not provided a map indicating the location of the facility, the discharge points, the North Ditch, and the receiving streams. It would be easier to comprehend the information provided in the petition with a location map.
2. Smurfit has not provided data regarding the flows "into" and "out of" (reuse and discharge) the ditch, and the retention capacity of the ditch which will be required to ascertain the liquid balance.
3. Section V Compliance Alternatives does not consider the option of expanding the retention capacity of the North Ditch to contain the "normal flow" and comply with the 1 mg/l standard. This option seems to be logical since the information included in the petition indicates that boron concentration in the discharge from the North Ditch exceeds 1 mg/l level only if it occurs during "normal flow" (i.e. not caused by a rainfall event).
4. In Section VI, Smurfit has requested an adjusted standard for boron of 15 mg/l. Smurfit appears to be relying solely on the site-specific standard adopted for Illinois Power Co. in 1978 granting a boron water quality standard of 15 mg/l which applies to an unnamed tributary of Wood River Creek and a portion of Wood River Creek (see Section 303.352). The 15 mg/l concentration is not supported by the analytical results provided in the petition (Attachment A) which indicate that the concentration of boron in the North Ditch during March 1989 through January 1990 ranged from 0.4 to 5.8 mg/l.

- 5. In Section VII, Smurfit has not provided any information regarding the time periods when discharge takes place or the flow data of the receiving stream to substantiate its statement that the receiving stream always contains water at the time of discharge. This information is useful if the adjusted standard is to specify the periods when the 1 mg/l standard for boron may be exceeded.
- 6. Smurfit has apparently relied upon its consultant's review, and the adjusted standard granted by the Board to Illinois Power in determining that the requested relief does not present any adverse impact. However, the petition does not include the consultant's report regarding the impact of the discharge on the receiving stream to substantiate its claim. Data on stream and sediment monitoring and potential routes of exposure that might impact human health, aquatic life or wild and domestic animals using the water in the creek is needed to evaluate adverse environmental impacts.

If an amended petition curing these deficiencies is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

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 7th day of May, 1992, by a vote of 7-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board