

ILLINOIS POLLUTION CONTROL BOARD

June 6, 1991

IN THE MATTER OF:)
)
PETITION OF AMOCO OIL COMPANY) AS 91-4
FOR ADJUSTED STANDARDS FROM)
35 ILL. ADM. CODE SECTIONS)
725.213(d)(1)(B) AND 725.321(a))

ORDER OF THE BOARD (by. B. Forcade):

This matter involves a petition for an adjusted standard from the closure and design provisions of 35 Ill. Adm. Code 725.213(d)(1)(B) and 725.321(a) filed by Amoco Oil Company ("Amoco") on May 10, 1991. One portion of the petition requests an adjusted standard pursuant to 35 Ill. Adm. Code 725.213(e), which Section authorizes a delay of closure for surface impoundments which will remain open to receive non-hazardous wastes only. Section 723.213(e)(8)(B) specifies a level of justification. Another portion of the petition appears to request a generic adjusted standard from 35 Ill. Adm. Code 725.213(d)(1)(B) and 725.321(a), which require the owner or operator to initiate closure of a surface impoundment within one year after the final receipt of hazardous waste, and a double liner and leachate collection system for any new surface impoundments.

Section 725.213(e) sets forth a level of justification which includes a sufficient removal plan and contingent corrective measures plan. The latter is "a corrective action plan under Section 724.199, based on the assumption that a release has been detected from the unit". There are a number of apparent deficiencies in Amoco's information concerning the corrective measures plan.

A corrective action plan is ordinarily a portion of a RCRA Part B permit application which is filed after a release has been detected. The corrective measures plan is somewhat different, in that it comes to the Board outside the context of the Part B application, and it is to be based on a hypothetical release which may occur in the future. The petition has a number of deficiencies which may stem from the petition not having enough of the Part B application to give enough information for the Board to understand petitioner's problem.

The informational requirements for a corrective action plan are contained in 35 Ill. Adm. Code 703.185(g). However, to evaluate the petitioner's plan, it is necessary to have all of the material called for in Section 703.185 (which the Agency would automatically have before it in the context of a Part B application). Amoco Oil Company is deficient in that it lacks the following material:

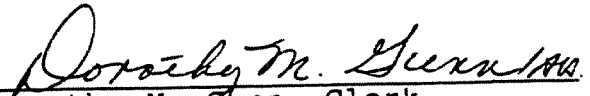
1. Section 725.213(e)(3)(B) provides that the contingent corrective measures plan may be a portion of a corrective action plan previously submitted. The petition makes reference to what appears to be a corrective action plan for a "hydrocarbon pool" on the facility. It is unclear whether the contingent corrective measures plan is a portion of this plan.
2. Section 703.185(a) requires a summary of groundwater monitoring data obtained during interim status.
3. Sections 703.185(b) and (c) include requirements for hydrogeologic information and a topographic map on which certain points are located. The petition does not include a true topographic map, and does not locate all of the required points. In addition, most of the maps in the petition fail to indicate the location of the "East Surge Pond" ("ESP"), which is the subject of the petition.
4. Section 703.185(g)(1) requires a description of wastes previously handled at the facility. Petitioner has provided the characteristics of non-hazardous wastes to be handled by the ESP, but appears to have omitted past wastes. Although the removal plan calls for removal of all contaminated material, the conditions of the adjusted standard need to address the possibility that not all contaminated material will be removed, or that there may be an undetected plume of contamination from such already present. Continued use of the impoundment for non-hazardous wastes could provide a hydraulic head to produce or move a plume from such pre-existing contamination. Monitoring should address this possibility. Hence, a description of past wastes is needed to provide a focus for such monitoring.

The petitioner is directed to amend the petition to address the deficiencies within 30 days after the date of this Order. The petition will be subject to dismissal unless the petitioner addresses these deficiencies in a timely manner.

The Board notes that the Illinois Environmental Protection Agency has not yet filed its recommendation in this matter.

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 6th day of June, 1991, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board