

ILLINOIS POLLUTION CONTROL BOARD  
November 29, 1990

COMMONWEALTH EDISON COMPANY, )  
ZION POWER STATION, )  
 )  
Petitioner, )  
 )  
v. ) PCB 90-223  
 ) (Provisional Variance)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (J. Marlin):

This matter comes before the Board on receipt of an Agency Recommendation dated November 28, 1990. The recommendation refers to a request from Petitioner, Commonwealth Edison Co., Zion Power Station, for a provisional variance from the suspended solids (TSS) and oil and grease (O & G) effluent requirements, as set forth in 35 Ill. Adm. Code 304.124 and 304.141, for the period from when the Petitioner begins repairs to its wastewater treatment plant, by removing its Outfall 110(a) from service, and continuing until the Petitioner returns that outfall to service, but not for longer than 45 days.

The Agency recommends that the Board grant the requested provisional variance with specified conditions. The Agency states that a grant of the instant provisional variance will not adversely affect any public water supply. The Agency maintains that a grant of a provisional variance would violate no federal laws. The Agency finds that a denial of the requested provisional variance would create an arbitrary and unreasonable hardship on the Petitioner.

The Board hereby grants Petitioner a provisional variance from 35 Ill. Adm. Code 304.124 and 304.141 subject to the following conditions:

1. The term of this provisional variance shall commence on when the Petitioner, Commonwealth Edison Co., Zion Power Station, removes its Outfall 001(a) from service, and it shall expire on the date the Petitioner returns its Outfall 001(a) to service or after 45 days have elapsed, whichever comes first;
2. The Petitioner shall notify Chris Kallis of the Agency's Maywood office by telephone, at 708-345-9780, when it removes its Outfall 001(a) from service and when it returns the outfall to service within 24 hours, and the Petitioner shall confirm this notice in writing within five days, addressed as follows:

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

Attention: Mark T. Books

3. The Petitioner shall so perform all work as to return its Outfall 001(a) to service as soon as possible to minimize the period of time that the facility is out of service and operate its plant during the term of this provisional variance in a manner that assures the best effluent practicable; and

4. During the term of this provisional variance, the Petitioner shall meet monthly average effluent limitations prior to treatment through an oil/water separator of 75 mg/l TSS and 75 mg/l O & G; and

5. The Petitioner shall execute a copy of a Certificate of Acceptance of this provisional variance and forward that copy to the Agency addressed as is the written notice required in the above condition; the Petitioner shall forward that copy within 10 days of the date of this Order of the Board, and the Certificate of Acceptance shall take the following form:

CERTIFICATION

I (We), \_\_\_\_\_,  
hereby accept and agree to be bound by all terms  
and conditions of the Order of the Pollution  
Control Board in PCB 90-223, November 29, 1990.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Authorized Agent

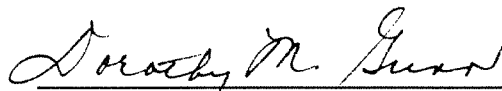
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

IT IS SO ORDERED.

J. Dumelle dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Order was adopted on the 29<sup>th</sup> day of November, 1990, by a vote of 6-1.



\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board