

ILLINOIS POLLUTION CONTROL BOARD
July 3, 1990

CITY OF WHITE HALL,)
)
 Petitioner,)
)
 v.) PCB 90-123
) (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 July 2, 1990. The recommendation refers to a request from Petitioner, City of White Hall, for a provisional variance from the wastewater effluent biochemical oxygen demand (BOD) and total suspended solids (TSS) limitations, as set forth in 35 Ill. Adm. Code 304.120 and 304.141(a). The City seeks a provisional variance for the period from June 29, 1990 to July 20, 1990 or until the City of White Hall returns its activated sludge plant to service, whichever comes first.

The City of White Hall owns and operates a wastewater treatment plant that discharges effluent to Seminary Creek which, in turn, discharges to Apple Creek and the Illinois River. The plant consists of a bar screen aerated grit chamber, a primary clarifier, an activated sludge plant, a clarifier, an aerobic digester, tertiary filtration, and effluent chlorination. NPDES Permit IL0022390 presently requires the City to discharge effluent with no greater than 10 mg/l BOD and 12 mg/l TSS content, on a monthly average basis.

The City claims to have experienced breakage problems with the clarifier drive mechanism on the activated sludge plant. The mechanism failed on April 8, 1990, and the City replaced it on May 9, 1990. It failed again on June 21, 1990. Shear pin failure on the clarifier drive units preceded both failures. The drive mechanism has been repaired and installed, but the City is concerned that another problem may have caused the failures.

The City claims that it is necessary to dewater the clarifier to determine if another problem exists. This would require the City to dewater all compartments of the treatment plant because the internal dividers would not withstand the pressures resulting from dewatering the individual compartment. This would place the activated sludge unit out of service during dewatering and repairs. During such a period, however, the City could provide partial treatment by screening, grit removal, flow measurement, primary settling, aeration in the excess flow tank, rapid sand filtration, and final settling. This would result in

an effluent that would not exceed 25 mg/l BOD and 40 mg/l TSS during the period of repairs.

The City asserts that there is no available alternative method to correct the situation with its plant. It predicts that far above average amounts of rainfall would result in no adverse environmental effects.

Upon receipt of the request, the Agency issued its recommendation, concluding that the lack of an available alternative method for correcting the situation with the City's plant "creat[es] a hardship adequate enough to justify granting" the requested provisional variance. The Agency concurs in the City's assessment as to the availability of an alternative method for correction and as to the prospective environmental impact of . grant of a provisional variance. The Agency asserts that a denial of the requested provisional variance would impose an arbitrary and unreasonable hardship on the City. The Agency states that no federal laws would preclude a grant of the requested provisional variance, and the Agency is of no public water supply that such a grant would adversely affect. The Agency recommends that the Board grant the requested provisional variance with conditions.

In light of the Agency Recommendation, the Board hereby grants the City of White Hall a provisional variance from the BOD and TSS requirements of 35 Ill. Adm. Code 304.120 and 304.141(a) on the following conditions:

1. The term of this provisional variance shall commence on June 29, 1990 and continue until the City of White Hall returns its activated sludge plant to service, or until July 20, 1990, whichever occurs first;
2. The City of White Hall shall discharge no effluent that exceeds 25 mg/l BOD or 40 mg/l TSS content during the term of this provisional variance;
3. The City of White Hall shall notify Bud Bridgewater by telephone, at 217-786-6892, when it begins dewatering the activated sludge plant and when it returns that unit to service;
4. The City of White Hall shall verify each notification made by telephone pursuant to condition number 3 in writing within five days of such telephone notification, addressed as follows:

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
P.O. Box 19276

Springfield, Illinois 62794-9276
Attn: Pat Lindsey

5. The City of White Hall shall return its activated sludge plant to service as soon as is possible and shall provide the best treatment practicable during the term of this provisional variance;

6. The City of White Hall shall execute a Certificate of Acceptance and Agreement in 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 90-123, dated July 3, 1990.

Petitioner

Authorized Agent


Title

Date

7. The City of White Hall shall forward to the Agency an executed copy of the Certificate executed pursuant to condition number 6 within 10 days of the date of this Order addressed as indicated in condition number 4.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Order was adopted on the 3rd day of July, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board