

ILLINOIS POLLUTION CONTROL BOARD
June 21, 1990

ROCKTON SANITARY DISTRICT)
)
 Petitioner,)
)
 v.)
) PCB 90-119
) (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 June 20, 1990. The recommendation refers to a request from Petitioner, Rockton Sanitary District (Rockton) for a provisional variance from the deoxygenating wastes (5-day biochemical oxygen demand (CBOD)) and suspended solids (TSS) effluent requirements, as set forth in 35 Ill. Adm. Code 304.120 and 304.141(a), for the period from the date Rockton removes its oxidation ditch from service and continuing until that unit is returned to service, but not continuing for longer than 45 days.

Rockton owns and operates a wastewater treatment plant consisting of a comminutor, and oxidation ditch, a secondary clarifier, and aerated lagoon, and a chlorine contact tank. Plant effluent discharges to the Rock River. NPDES permit number IL0030791 imposes monthly average effluent limits of 25 mg/l CBOD and 30 mg/l TSS.

Rockton indicates that it must repair and upgrade its oxidation ditch, by converting it into an aeration tank by replacing existing brush aerators with diffused air aeration. Rockton represents that accomplishing this work while maintaining the ditch in service "would be a virtual impossibility." The Agency agrees in its recommendation that "there are no reasonable alternatives."

The Agency recommends that the Board grant the requested relief with certain conditions. The Agency concurs with Rockton that to continue full treatment while repairing and upgrading the oxidation ditch would impose an arbitrary and unreasonable hardship on Rockton. The Agency believes that environmental impact would be minimal because of dilution of the effluent by the river flow and the fact that remaining wastewater treatment processes would continue through the duration of the provisional variance. The Agency represents that no federal law would preclude a grant of this provisional variance and that a grant would not adversely affect any downstream public water supplies.

In light of the Agency Recommendation, the Board hereby

grants a provisional variance from the CBOD and TSS effluent requirements of 35 Ill. Adm. Code 304.120 and 304.141(a) with the following conditions:

1. The term of this provisional variance shall begin on the day that Rockton removes its oxidation ditch from service, and that term shall continue until it returns the unit to service, but the term of this provisional variance shall not exceed 45 days;

2. Rockton shall discharge no effluent whose CBOD or TSS content exceeds 40 mg/l during the term of this provisional variance;

3. Rockton shall notify Dennis Rockton, of the Agency's Rockford office, by telephone, at 815-987-7755, when it begins work on the oxidation ditch and when it returns the ditch to service and shall confirm the telephone notices within five days in writing by mail addressed as follows:

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

Attention: Mark T. Books

4. Rockton shall return the oxidation ditch to service as soon as possible and shall provide the best practicable treatment during the term of this provisional variance; and

5. Rockton shall, within 10 days of the date of this Order, execute a Certificate of Acceptance and Agreement and forward a copy to the Agency, addressed as indicated in condition number 3, 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 90-119, dated June 21, 1990.

Petitioner

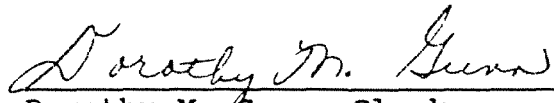
Authorized Agent

Title

Date

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
21st day of June, 1990, by a vote of
7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board