

ILLINOIS POLLUTION CONTROL BOARD
March 22, 1990

VILLAGE OF MOUNT MORRIS,)
)
 Petitioner,)
)
 v.) PCB 90-38
) (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 March 20, 1990. The recommendation refers to a request from Petitioner, Village of Mount Morris for a 45-day provisional variance from 5-day biochemical oxygen demand (BOD₅), suspended solids (TSS), and ammonia nitrogen (NH₃) effluent standards, as set forth in 35 Ill. Adm. Code 302.212 and 304.120(c), for the period beginning from the removal of the Village's sand filters from service, on or about June 11, 1990, and continuing for 45 days.

Upon receipt of the request the Agency issued its recommendation, concluding that failure to grant the requested 45-day provisional variance would impose an arbitrary or unreasonable hardship on Petitioner.

The Village owns and operates a 0.5 MGD wastewater treatment facility that discharges to an unnamed tributary of Pine Creek, in the Rock River basin. The effluent normally contains 10 mg/l BOD₅, 12 mg/l TSS, and 1.5 mg/l NH₃. The treatment facility includes high rate sand filters and rotating biological contactors (RBCs). The Village must rebuild the sand filters and install a chemical cleaning system. This will take the RBCs and sand filters out of service for about 45 days, and the Village intends to commence this work on or about June 11, 1990. During this period, the Village will continue to operate its remaining equipment, an aerated grit chamber, a primary clarifier, a trickling filter, a final clarifier, and a chlorine contact tank, providing full secondary treatment of all effluent.

The Agency agrees with the Village that the environmental impact of the requested relief should be minimal for this reason. The Agency is aware of no federal law that would preclude the requested relief. The Agency states that it is unaware of no downstream public water supplies that would receive an adverse impact from the requested provisional variance. For these reasons, the Agency recommends that the Board grant the requested

relief with certain recited conditions.

In light of the Agency Recommendation, the Board hereby grants a provisional variance from 35 Ill. Adm. Code 302.212 and 304.120(c), with the following conditions:

1. The term of this provisional variance shall commence on the date the Village of Mount Morris removes its sand filters from service, and it shall expire after the 45th day following the date of such removal from service;

2. During the term of this provisional variance, the effluent from the Village of Mount Morris' treatment plant shall not exceed concentrations of 45 mg/l BOD₅, 60 mg/l TSS, and 12 mg/l NH₃;

3. During the term of this provisional variance, the Village of Mount Morris shall collect samples and analyze them according to the terms of NPDES permit number IL0030031, and report them to the Agency on its monthly discharge monitoring reports;

4. The Village of Mount Morris shall notify Dennis Connor of the Agency's Rockford office by telephone, at 815-987-7755, when the sand filters are removed from service and when the work is completed, and the Village 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 Brooks

5. During the term of this provisional variance, the Village of Mount Morris shall operate its plant in a manner that assures that it discharges the best quality effluent practicable; and

6. The Village shall execute a copy of a Certificate of Acceptance of this provisional variance and forward that copy to the Agency addressed as indicted in condition 4; the Village shall forward that copy within 10 days of the date of this Order of the Board, i.e., on or before April 2, 1990; 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 90-38, March 22, 1990.

Petitioner

Authorized Agent

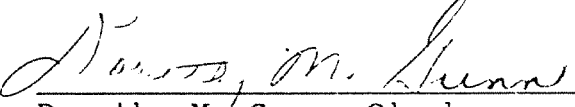
Title

Date

IT IS SO ORDERED.

J. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control
Board, hereby certify that the above Opinion and Order was
adopted on the 22nd day of March, 1990, by a vote
of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board