

ILLINOIS POLLUTION CONTROL BOARD
September 8, 1988

A.E. STALEY MANUFACTURING)
DIVISION OF STALEY CONTINENTAL)
INC., and DECATUR, CITY OF,)
)
Petitioners,)
)
v.) PCB 88-146
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon receipt of the Illinois Environmental Protection Agency's (IEPA) September 7, 1988 Agency Recommendation. The Recommendation sets forth the relevant parts as follows:

On August 31, 1988 the IEPA received a joint request for a provisional variance from the City of Decatur and A.E. Staley Manufacturing, to allow the discharge of uncontaminated cooling water waste stream into Lake Decatur. The waste stream consists of 1.5 million gallons of "uncontaminated cooling waters" which is currently being discharged into Lake Decatur under NPDES permit #IL0002381.

Petitioners state that owing to unprecedented drought conditions the level of Lake Decatur has dropped to the point at which the intake water supply main of the City of Decatur is in jeopardy of being exposed. Dredging operations have begun in hopes of reclaiming some of the Lake's volume due to sedimentation. Water restrictions have also been imposed in hopes of reducing water consumption demand.

Staley has proposed to reroute 1 MGD of its current uncontaminated cooling water discharge into Lake Decatur. Piping modifications will be made in order to allow this cooling water to be switched back to the sewer system immediately if the water would become contaminated.

The IEPA has determined that granting the requested variance will cause minimal environmental impact. The IEPA further determined that denial of the requested provisional variance would create an arbitrary and unreasonable hardship on the City of Decatur and recommends that the variance be granted.

A.E. Staley Manufacturing is hereby granted a provisional

variance from the provisions of 35 Ill. Adm. Code 304.141 subject to the following conditions:

a. This variance shall commence on the date of this order and continue for 45 days.

b. During the period of this variance, the effluent discharged from A.E. Staley Manufacturing be limited to 25 mg/l monthly maximum BOD, other effluent limits shall remain the same as their NPDES permit (IL0002381).

c. During the period of this variance, Staley may return up to 1.2 MGD of "uncontaminated cooling water to Lake Decatur in addition to the non contact cooling water and stormwater runoff which they are currently allowed to discharge to the Lake per their NPDES Permit.

d. During the period of this variance, Staley shall continue to conduct total organic carbon (TOC) analysis at the current frequency levels (i.e. every four hours) on the "uncontaminated" cooling water discharge. If the TOC analysis from this discharge are above 25 ppm then Staley shall divert the discharge to Decatur Sanitary District's treatment works until any potential problem has been addressed and TOC levels are below 25 ppm. TOC results as well as available BOD results shall also be submitted to the Agency on a weekly basis.

e. Within 10 days of the date of the Board's Order, Petitioner shall execute a Certification of Acceptance and Agreement which shall be sent to Mark T. Books at the following address:

Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
Attn: Mark T. Books

This variance shall be void if Petitioner fails to execute and forward the certificate within the 10-day period. The ten-day period shall be held in abeyance during any period that this matter is being appealed. The form of said Certification shall be as follows:

CERTIFICATION

I, (We), A.E. Staley Manufacturing Division of Staley Continental Inc., and City of Decatur, having read the Order of the Illinois Pollution Control Board, in PCB 88-146, dated September 8, 1988, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner _____

By: Authorized Agent _____

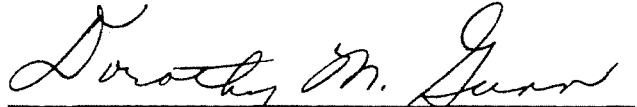
Title _____

Date _____

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111 1/2 par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

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 8th day of September, 1988 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board