

ILLINOIS POLLUTION CONTROL BOARD
May 28, 1987

MORTON THIOKOL, INC.,)
MORTON CHEMICAL DIVISION,)
)
Petitioner,)
)
v.) PCB 86-223
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

DISSENTING OPINION (by B. Forcade):

I respectfully dissent from the majority. In this proceeding, I do not feel the petitioner has demonstrated that the environmental harm is, in fact, minimal.

The applicable water quality standard for mercury is 0.0005 mg/l (0.5 ug/l). 35 Ill. Adm. Code 302.407. The Illinois Environmental Protection Agency's ("Agency") intensive survey of the receiving stream in this proceeding shows apparent violations of the mercury water quality standard (Agency Rec., Attachment A, Table 2). Mercury is present in Morton Thiokol's effluent and the highest recorded ambient mercury value is downstream of Morton Thiokol:

A-1	Approximately 30 yds. upstream from the Morton Chemical discharge, Ringwood, McHenry Co.	0.25 ug/l
C-0	Morton Chemical discharge Ringwood, McHenry Co.	0.25 ug/l
C-1	Approximately 0.1 mile downstream from the Morton Chemical discharge, Ringwood, McHenry Co.	0.78 ug/l
C-2	Approximately 0.5 mile downstream from the Morton Chemical discharge, 0.5 mile SE of Ringwood, McHenry Co.	0.28 ug/l

(Agency Rec., Attachment A, Table 2 & Appendix A)

The 0.78 ug/l value reported at location C-1 certainly appears to be a violation of the 0.5 ug/l water quality standard for mercury.

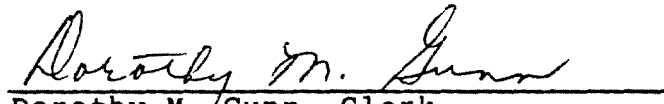
I do not believe that this data positively demonstrates that Morton Thiokol's effluent is causing or contributing to water quality violations for mercury. It does, however, raise serious questions about whether the environmental impact from that effluent is indeed "minimal."

In the absence of more definitive information on the source of the mercury and the magnitude of the problem, I cannot support a grant of variance which may add to the problem.

The petitioner has the burden to demonstrate that the economic burden outweighs the environmental harm. Since the environmental harm has not been demonstrated to be "minimal," the petitioner has not made his case.


Bill S. Forcade

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 1st day of June, 1987.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board