

ILLINOIS POLLUTION CONTROL BOARD  
May 28, 1987

IN THE MATTER OF: )  
 )  
PROPOSED AMENDMENTS TO )  
35 ILL. ADM. CODE 304.120, ) R86-17 (A)  
DEOXYGENATING WASTES STANDARDS )  
 )

PROPOSED RULE. SECOND NOTICE.

PROPOSED OPINION AND ORDER OF THE BOARD (By J. Marlin):

This matter comes before the Board upon a proposal by the Illinois Environmental Protection Agency (Agency) to amend 35 Ill. Adm. Code 304.120, Deoxygenating Wastes, filed with the Board on April 23, 1986. Hearings on this proposal were held by the Board on June 24, 1986 at Peoria and June 27, 1986 at Effingham. On January 5, 1987, the Department of Energy and Natural Resources (DENR) filed with the Board its negative declaration. The Economic and Technical Advisory Committee concurred with DENR's determination. On March 5, 1987, the Board adopted a Proposed Rule, First Notice concerning the Agency's proposal. The Board proposed for First Notice a significant portion of the Agency's proposal. The Board opened Docket B in this proceeding to further consider the aspects of the Agency's proposal that were not proposed at First Notice.

During the First Notice period, the Board received one public comment concerning the proposed rule. Citizens Utilities Company of Illinois (Citizens) filed a comment on April 24, 1987, which requested that the Board's proposed rule include wastewater treatment works of investor owned utilities. That is, Citizens would like privately owned treatment facilities to qualify for a lagoon exemption if it has an untreated waste load between 2500 and 5000 population equivalents. The proposed rule applies only to a publicly owned treatment works (POTW). The Board notes that Citizen's comment merits consideration, and the Board will explore this issue further under Docket B.

ORDER

The Board directs that second notice of the following proposed rule be submitted to the Joint Committee on Administrative Rules:

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 304  
EFFLUENT STANDARDS  
SUBPART A: GENERAL EFFLUENT STANDARDS

Section 304.120 Deoxygenating Wastes

Except as provided in Section 306.103, all effluents containing deoxygenating wastes shall meet the following standards:

- a) No effluent shall exceed 30 mg/l of five day biochemical oxygen demand (BOD<sub>5</sub>) (STORET number 00310) or 30 mg/l of suspended solids (STORET number 00530), except that treatment works employing three stage lagoon treatment systems which are properly designed, maintained and operated, and whose effluent has a dilution ratio no less than five to one or who qualify for exceptions under paragraph (c) shall not exceed 37 mg/l of suspended solids.
- b) No effluent from any source whose untreated waste load is 10,000 population equivalents or more, or from any source discharging into the Chicago River System or into the Calumet River System, shall exceed 20 mg/l or BOD<sub>5</sub> or 25 mg/l of suspended solids.
- c) No effluent whose dilution ratio is less than five to one shall exceed 10 mg/l of BOD<sub>5</sub> or 12 mg/l of suspended solids, except that sources employing third-stage treatment lagoons shall be exempt from this paragraph (c) provided all of the following conditions are met:
  - 1) The untreated waste load is less than 2500 population equivalents and
  - 1) The waste source qualifies under one of the following categories:
    - A) Any wastewater treatment works whose untreated waste load is less than 2500 population equivalents and is sufficiently isolated that combining with other sources to aggregate 2500 population equivalents or more is not practicable.
    - B) Any publicly owned treatment works in existence on January 1, 1986 whose untreated waste load is 5000 population equivalents or less and sufficiently isolated that combining to aggregate 5000 population equivalents or more is not practicable.
    - C) Any publicly owned treatment works whose untreated waste load is 5000 population equivalents or less which has reached the end

of its useful life by January 1, 1987 and is sufficiently isolated that combining to aggregate 5000 population equivalents or more is not practicable.

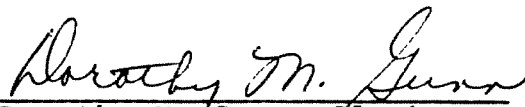
- 2) is sufficiently isolated that combining with other sources to aggregate 2500 population equivalents or more is not practicable; and
- 3) The lagoons are properly constructed, maintained and operated; and
- 4) The deoxygenating constituents of the effluent do not, alone or in combination with other sources, cause a violation of the applicable dissolved oxygen water quality standard.
- d) No effluent discharged to the Lake Michigan basin shall exceed 4 mg/l of BOD<sub>5</sub> or 5 mg/l of suspended solids.
- e) Compliance with the numerical standards in this Section shall be determined on the basis of the type and frequency of sampling prescribed by the NPDES permit for the discharge at the time of monitoring.

(Source: Amended at 11 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

IT IS SO ORDERED.

Chariman J.D. 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 28<sup>th</sup> day of May, 1987, by a vote of 6-0.

  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board