

ILLINOIS POLLUTION CONTROL BOARD  
March 27, 1986

IN THE MATTER OF: )  
 )  
PETITION FOR SITE SPECIFIC ) R82-7  
RELIEF BY THE CITY OF ALTON )  
 )

PROPOSED RULE. SECOND NOTICE.  
ORDER OF THE BOARD (by J. Marlin):

On May 16, 1985, the Board ordered the proposed rule to a first notice public comment period. The proposed rule was published in the Illinois Register at 9 Ill. Reg. 8392 on June 7, 1985, which commenced the 45 day comment period. The proponent, City of Alton (City), requested by letter an extension for it to submit its comments and did submit them on August 22, 1985.

The City agrees with the first notice proposed rule except for Section 304.210(a)(2) and (b)(1). Subsection (a)(2) requires that the City comply with Sections 304.106, 304.120, 304.121 and 304.124 below the 25 year flood stage. The City requests a change to below a river stage of 420. Subsection (b)(1) requires that all outlets be operational during Mississippi River flood stages up to and including the 25 year flood stage. The City proposes to meet less than the 25 year flood stage at certain CSO outlets and has listed each outlet and the river stage up to which it will be protected.

The City claims that to meet the 25 year flood stage as the Illinois Environmental Protection Agency (Agency) suggests would be technically infeasible because the City is not protected from the flood waters upstream of Langdon Street. Flooding of a significant portion of the city near the Piasa-State Street outlets currently occurs at the 25 year flood stage. The City states "[g]iven that surface flooding occurs and that the interceptor system transports flows from this unprotected area to the treatment plant which is protected by Levee, the interceptor must be closed during flood stages." (Alton Comments at 1).

The Agency on October 29, 1985 filed a letter which stated:

After receipt of Petitioner's response to the First Notice, the Agency personnel involved had a meeting with the City's engineers in an effort to devise an alternate solution that might be acceptable to all parties and consistent with USEPA regulations. Discussions are continuing and at the earliest opportunity information will be submitted to supplement the record.

However, the negotiations have ended without result and the Board has received no more information.

The Board notes that the Agency has issued a permit concerning relocation of the Piasa-State Street intercepting facilities designed around protection of the interceptor by protecting the outlet to elevation 420 rather than the 25 year flood stage. (IEPA Permit 1985-HB-1521, January 16, 1985). Attachment A to the City's Comments shows the Army Corps. of Engineers plans for the Piasa-State Street outlet. The outlet will be separated into two separate outlets -- the Piasa outlet at river mile 203.12 and the State Street outlet at river mile 203.22.

The Board construes the permitting action and the Agency's suggestion that the City protect to the 25 year flood stage as being wholly inconsistent. The Board will, therefore, modify the rule as proposed at first notice in accordance with the City's petition.

Section 100.400(b) of Title 1 of the Illinois Administrative Code provides in pertinent part:

- b) No more than one year may elapse from the date the proposed rule appeared in the Illinois Register until the date the rule is adopted. Should more than one year elapse, such rule shall not be adopted or filed with the Administrative Code Unit.

Unless a final rule is adopted by June 7 1986, the proposed rule must be re-noticed. By adopting a Second Notice Order today, the Board is hopeful that the Joint Committee on Administrative Rules (JCAR) will consider this matter at its April 1986 meeting. Assuming no objection by JCAR, this matter would proceed to decision within the one year time period consistent with Section 100.400(b).

Therefore, the Board directs that second notice of the following proposed rule be submitted to JCAR:

TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE C: WATER POLLUTION  
 CHAPTER I: POLLUTION CONTROL BOARD  
  
 PART 304  
 EFFLUENT STANDARDS  
 SUBPART B: SITE SPECIFIC RULES AND  
 EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section 304.210      Alton Combined Sewer Overflow (CSO) and  
 Wastewater Treatment Plant Discharges

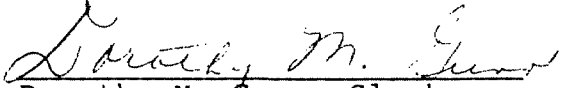
This Section applies to the CSO's and the existing wastewater treatment plant of Alton, Illinois.

- a) The discharge from the Piasa-State Street Sewer, defined as being at Mississippi River mile 202.64, shall not be subject to the provisions of Sections 304.106, 304.120, 304.121 and 304.124 during the following conditions:
- 1) Prior to replacement of the existing Locks and Dam 26, when the tailwater elevation exceeds 415.3, or
  - 2) After replacement of Locks and Dam 26, when the pool level exceeds elevation 420 at Mississippi River miles 203.12 and 203.22 (Piasa and State Street Outlets relocated).
- b) Discharges from the City of Alton at Mississippi River miles 201.66 (Shields Valley), 202.24 (Central Avenue), 203.12 (Piasa Outlet), 203.22 (State Street Outlet), 203.61 (Summit Street), 203.87 (Bluff Street) and 204.30 (Turner Tract), shall be subject to the following conditions:
- 1) The overflow structures and the associated interceptor sewer shall be protected against intrusion by flood waters and be maintained operational at flood stages from Mississippi River backflow for a 25-year Mississippi River flood stage, except as follows:
- | <u>Overflow Structure</u>  | <u>River Mile</u> | <u>Protection Level<br/>Mean Sea Level (MSL)<br/>(River Stage)</u> |
|----------------------------|-------------------|--|
| <u>Piasa Outlet</u>        | <u>203.12</u>     | <u>420.0 MSL</u>   |
| <u>State Street Outlet</u> | <u>203.22</u>     | <u>420.0 MSL</u>   |
| <u>Summit Street</u>       | <u>203.61</u>     | <u>427.0 MSL</u>   |
| <u>Bluff Street</u>        | <u>203.87</u>     | <u>427.6 MSL</u>   |
| <u>Turner Tract</u>        | <u>204.30</u>     | <u>427.6 MSL</u>   |
- 2) The City of Alton shall achieve and maintain maximum transport capability of the south side interceptor sewer system; and
  - 3) The south side interceptor pump station shall be upgraded to a design capacity of 13.7 million gallons per day MGD.
- c) The discharge from the City of Alton's sewage treatment works outfall 001 sewer located on Wood River Creek, approximately 1,000 feet from its confluence with the Mississippi River, shall not be subject to Section 304.120(c) but to the following: shall not exceed 20 milligrams per liter BOD and 25 milligrams per liter

suspended solids. Compliance shall be determined  
consistent with Section 304.120(e).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Second Notice Order was adopted on the 274 day of March, 1986, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk

Illinois Pollution Control Board