ILLINOIS POLLUTION CONTROL BOARD December 16, 1982

GREATER	PEORIA	SANITARY	DISTRICT,)		
		Pet:	itioner,)		
		v.)	PCB	82-146
ILLINOIS AGENCY,	S ENVIR	ONMENTAL 1	PROTECTION))		
		Res	pondent.)		

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

This provisional variance request comes before the Board upon a December 16, 1982 Recommendation of the Illinois Environmental Protection Agency (Agency). The Agency recommends that a 45-day provisional variance be granted to the Greater Peoria Sanitary District (District) to allow it to drain water in a flooded 50-acre sludge storage lagoon system, but to deny the variance as it applies to another 80-acre lagoon area which has had ground water seep into it.

The Agency has concluded that compliance on a short-term basis with the 5-day biochemical oxygen demand and suspended solids limitations of Section 304.120 would impose an arbitrary or unreasonable hardship. Given the recommended conditions, the Board assumes this finding to be applicable only to the 50-acre site.

The Board notes that a similar provisional variance was granted to the District on April 15, 1982 (PCB 82-43, 46 PCB 117) which required the District to "proceed with plans to increase the elevation of the existing levees," as recommended by the Agency. This has apparently been accomplished for the 80-acre site, but not for the 50-acre site. This Order includes a condition that the District "complete the work to increase the elevation of the levees," again as recommended. The Board cannot determine how long this should take, but assumes that such action will be taken expeditiously.

Pursuant to Section 35(b) of the Act, the Board hereby grants the provisional variance exactly as recommended.

ORDER

The Peoria Sanitary District is hereby granted a provisional variance from the Section 304.120 limitations for BOD and suspended solids for a period of 45 days beginning on the day the Illinois River has receded at Peoria to 7.0 feet above normal pool subject to the following conditions:

- 1. The District informs Robert Broms, Manager, Compliance Assurance Section, Division of Water Pollution Control (217/782-9720) of:
 - a. the day discharge begins by cutting the levee;
 - b. the day discharge ceases.
- 2. Only the 50-acre lagoon site will be drained into no more than a level of one foot above the sludge.
- 3. No sludge is discharged.
- 4. The remainder of the water shall be pumped back to the wastewater treatment plant for complete treatment.
- 5. The District shall sample the discharge for BOD, total suspended solids, volatile solids, and ammonia nitrogen daily.
- 6. The above sample results shall be submitted within 10 days after the discharge ceases to Robert Broms, Manager, Compliance Assurance Section, Division of Water Control.
- 7. The District shall complete the work to increase the elevation of the levees.
- 8. The District shall execute a certificate of acceptance and agreement to be bound by the terms and conditions of this provisional variance within 10 days of the date of this Order. The certificate shall be addressed to the Illinois Environmental Protection Agency, Division of Water Pollution Control, Compliance Assurance Section, 2200 Churchill Road, Springfield, Illinois 62706 and shall be in the following form:

CERTIFICATION

I, (We) _______, having read the Order of the Illinois Pollution Control Board in PCB 82-146 dated December 16, 1982, understand and accept said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petit	ioner		
Ву:	Authorized	Agent	
Title	2		
Date			

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the day of day of day of the control by a vote of day.

Christan L. Moffett, Clerk
Illinois Pollution Control Board