

ILLINOIS POLLUTION CONTROL BOARD
January 4, 1979

OLIN CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 78-259
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Young):

On October 2, 1978, Olin Corporation filed a Petition seeking an extension of a variance from the total suspended solids (TSS) requirements of Rule 408(a) in Chapter 3: Water Pollution Regulations for its Blockson Works in Joliet, Illinois. The present variance expired on September 30, 1978. On November 6, 1978, the Agency filed its recommendation in support of the grant of the variance. The Board adopted an Interim Order on December 14, 1978, to consider an amendment to the Agency's recommendation filed December 8, 1978. The Petitioner waived decision until January 4, 1979.

Petitioner owns and operates a phosphorus manufacturing facility near Joliet, Illinois, which discharges wastewater to the DesPlaines River. Since the early 1970's, Olin has attempted various methods to improve the quality of its discharge. In 1974, the Petitioner completed the installation of a clarifier system, but the operation of this system could not consistently maintain the TSS limitations of Rule 408(a). In PCB 74-492, Olin was granted a variance until March 1, 1976, provided that Petitioner submit a compliance plan with the Rule 408(a) TSS requirements using the existing clarifier equipment or by implementing alternative control technology.

On February 18, 1976, Petitioner sought an extension to its variance in PCB 76-45 to install a total recycle system. The Board granted Olin a variance from the TSS limitation in Rule 408(a) until January 1, 1977. When difficulties arose in installing the recycle system, Olin was granted a variance until June 30, 1977, in PCB 76-328, on the condition that Olin continue to eliminate all wastewater sources which are tributary to Petitioner's storm drainage system to achieve compliance with the Chapter 3 effluent requirements.

In the last variance proceeding, PCB 78-6, Olin reported that it had submitted an amended compliance plan which included approximately 40 projects designed to remove wastewater contamination from the storm sewer effluent. However, Olin requested additional time to identify sources of spills and contamination into the storm sewer system and to implement control programs. On March 30, 1978, the Board granted Olin a variance until September 30, 1978, provided that Petitioner direct its control programs toward compliance with Chapter 3 effluent requirements.

In this proceeding, Olin has proposed to achieve compliance with the TSS requirements of Rule 408(a) by constructing three storm water lagoons designed to treat the 24-hour once-in-25-year storm event with a design average flow of 1.35 MGD. According to Petitioner's amended compliance plan, the storm water impoundment system is scheduled for completion by August 31, 1979 (Rec. 2, 3).

While the chronicle of Petitioner's program to meet the Rule 408(a) TSS limitation has been lengthy with several grants of variance, the Board finds that Olin has followed the compliance schedules required by past variance orders. Therefore a variance will be granted from the total suspended solids requirements of Rule 408(a) until August 31, 1979, to allow for completion of the control system.

The Board will direct the Agency to modify Petitioner's NPDES permit pursuant to Rule 914 of Chapter 3 to include interim monitoring and reporting requirements and such effluent limitations as may be reasonably achieved through the application of best practicable operation and maintenance practices in the existing facilities.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. The Petitioner, Olin Corporation, is hereby granted a variance for its Blockson Works from Rule 408(a) of Chapter 3: Water Pollution Regulations as it applies to total suspended solids until August 31, 1979, subject to the following condition:

- (a) Petitioner shall submit monthly compliance and construction status reports on the last day of each month to the Agency.

2. Petitioner, within 30 days of the date of this Order, shall request Agency modification of NPDES permit to incorporate all conditions of the variance set forth herein.

3. The Agency, pursuant to Rule 914 of Chapter 3, shall modify NPDES permit consistent with the conditions set forth in this Order including interim monitoring and reporting requirements and such effluent limitations as may reasonably be achieved through the application of best practicable operation and maintenance practices in the existing facilities.

4. Within forty-five (45) days of the date of this Order, the Petitioner shall submit to the Manager, Variance Section, Division of Water Pollution Control, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois, 62706, an executed Certification of Acceptance and Agreement to be bound to all terms and conditions of the variance. The forty-five day period herein shall be suspended during judicial review of this variance pursuant to Section 31 of the Environmental Protection Act. The form of said certification shall be as follows:

CERTIFICATION

I, (We), _____ having read the Order of the Pollution Control Board in PCB 78-259, understand and accept said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

SIGNED

TITLE

DATE

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 4th day of January, 1979 by a vote of 4-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board