

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1978

DEPARTMENT OF LAW ENFORCEMENT,)
STATE POLICE TRAINING ACADEMY,)
)
Petitioner,)
)
v.) PCB 78-87
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

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

This matter comes before the Board on an Amended Petition for Variance filed April 14, 1978, by the State of Illinois Department of Law Enforcement, State Police Training Academy (Petitioner) for a variance from the phosphorus requirements of Rules 203(c) and 402 of Chapter 3: Water Pollution Rules and Regulations of the Pollution Control Board. Rule 203(c) provides that phosphorus shall not exceed a concentration of 0.05 mg/l in any reservoir or lake; Rule 402 provides that no effluent, alone or in combination with other sources, cause a violation of any applicable water quality standard. On May 16, 1978, the Environmental Protection Agency filed a Recommendation that the variance be granted subject to certain conditions. Petitioner waived hearing and no hearing was held in this matter.

The State of Illinois Department of Law Enforcement owns and operates a State Police Training Academy located near the south end of Lake Springfield in Sangamon County, Illinois. Domestic sewage at this facility is treated, filtered, disinfected and then discharged to Lake Springfield. Daily average discharge is approximately 10,000 gallons; average effluent phosphorus concentration is 1.98 mg/l (Amend. Pet. pl). The discharge contributes an estimated 0.1659 pounds per day of phosphorus (60.57 pounds per year) to Lake Springfield or 0.094% of the annual phosphorus loading of 64,265 pounds (Amend. Pet. pl).

Petitioner estimates the expenditure necessary to reduce the phosphorus concentration to 1 mg/l would be \$30,000.00. Alternatives of land disposal and pumping to another watershed are not deemed to be economically reasonable by the Petitioner

1. The State of Illinois Department of Law Enforcement is granted a variance for the operation of its wastewater treatment plant at the State Police Training Academy from Rules 203(c) and 402 of Chapter 3: Water Pollution Rules and Regulations regarding phosphorus until June 22, 1983, subject to the following conditions:

ORDER

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.
The Board will direct the Agency to issue a new NPDES permit to Petitioner consistent with this order pursuant to Rule 914 of Chapter 3.

In view of the minimal impact of the phosphorus discharged from Petitioner's facilities upon Lake Springfield at the present time and the prospect of near-term removal of the discharge from the Lake, the Board believes that the expense of modifying the existing facility is not economically justified.
The Petitioner requests a variance to permit the discharge of phosphorus at a concentration not to exceed 2.0 mg/l on a continuing basis or until the effluent is diverted into the proposed Springfield sanitary district sewers.

In those and other cases, the Agency and the Board have recognized that it is economically impractical for the petitioners to comply with the current 0.05 mg/l phosphorus limitation of Chapter 3. In addition, the Agency has petitioned the Board in regulatory proposal R76-1 for appropriate amendments to the phosphorus effluent and water quality standards of the Water Pollution Regulations. If regulatory proposal R76-1 is adopted as proposed, the Petitioner would be required to treat phosphorus to a level of 1.0 mg/l (Rec. p2).

The Board is familiar with the problems facing dischargers in meeting the 203(c) phosphorus standard. City of Hoopston, PCB 76-234, 24 PCB 441; Southern Illinois University at Edwardsville, PCB 77-111, 25 PCB 775; Valley Water Company, Inc., PCB 77-146, 25 PCB 289.

particularily since it is anticipated that the area will be serviced by the Springfield Sanitary District within the next two to five years (Amend. Pet. p2-3; Rec. p2).

- a) During the period of this variance, levels of phosphorus discharged to Lake Springfield from the State Police Training Academy shall not exceed a concentration of 2.0 mg/l as a 30-day average.
- b) This variance will earlier terminate on the availability of sewer service from the Springfield Sanitary District.

2. Petitioner, within 30 days of the date of this Order, shall request Agency modification of NPDES Permit IL 0027111 to incorporate all conditions of the variance set forth herein.

3. The Agency, pursuant to Rule 914 of Chapter 3, shall modify NPDES Permit IL 0027111 consistent with the conditions set forth in this Order.

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 in the event of 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 78-87, 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 22nd day of June, 1978 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board