

ILLINOIS POLLUTION CONTROL BOARD

December 2, 1999

| | | |
|------------------------------|---|--------------------------------|
| ENVIROFIL OF ILLINOIS, INC., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 00-91 |
| |) | (Provisional Variance - Water) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by C.A. Manning):

On November 30, 1999, the Illinois Environmental Protection Agency (Agency) filed a request for a provisional variance and notification of recommendation. The Agency recommends that the Board grant a 45-day provisional variance. The provisional variance would allow this McDonough County petitioner to discharge groundwater associated with a landfill into an unnamed tributary of the LaMoine River, pending approval of petitioner's National Pollutant Discharge Elimination System Permit for the landfill's corrective action system. Petitioner was previously granted a provisional variance in Envirofil of Illinois, Inc. v. IEPA (October 7, 1999), PCB 00-64 which expired on November 13, 1999. In making its recommendation, the Agency states that failure to grant the requested provisional variance for 45 days will result in an arbitrary or unreasonable hardship on the petitioner.

The Board grants the petitioner a provisional variance extension from the effluent discharge limits set forth in 35 Ill. Adm. Code 304.141(b). The Board is required, in a provisional variance, to adopt a formal order, assure formal maintenance of the record, assure the enforceability of the variance, and provide notification of the action by press release. Pursuant to Section 35(b) of the Environmental Protection Act (415 ILCS 5/35(b) (1998)), the Board must issue the provisional variance within two days of the filing.

The provisional variance is granted, subject to the following conditions:

1. The variance shall begin on November 22, 1999, and continue for 45 days.
2. During the provisional variance period, petitioner shall operate its treatment collection system in such a manner so as to produce the best effluent practicable. Petitioner shall meet the following limits from the discharge of Stage #1 biofilter, prior to discharge into biofilter #2:

Effluent Limitations and Monitoring

| | <u>Concentration Limits mg/l</u> | | | Sample Type |
|------------------------|----------------------------------|---------------|-------------------------|-------------|
| | 30 day Average | Daily Maximum | Sample Frequency | |
| | | | Measure when monitoring | |
| BOD ₅ | 10 | 20 | 3/week | grab |
| Total Suspended Solids | 12 | 24 | 3/week | grab |
| Barium | 2.0 | 4.0 | 1/week | grab |
| Iron (dissolved) | | 1.0 | 1/week | grab |
| Manganese | | 1.0 | 1/week | grab |
| Chromium | 0.347 | 2.0 | 1/week | grab |
| Chloroethane | 1 | 13 | 1/week | grab |
| 1,1 Dichloroethylene | 2 | 20 | 1/week | grab |
| 1,2 Dichloroethylene | 1.1 | 14 | 1/week | grab |
| Trichloroethylene | 0.94 | 12 | 1/week | grab |
| Vinyl Chloride | 4 | 40 | 1/week | grab |
| Methylene Chloride | 1.4 | 17 | 1/week | grab |
| Ammonia (as N): | | | | |
| April-October | 1.5 | 8.3 | 1/week | grab |
| November-March | 2.8 | 9.8 | 1/week | grab |

In addition to the above limits, pH shall be sampled 1/week and shall be in the range of 6.0 to 9.0. The volatile organic compounds (VOCs) identified above shall be sampled prior to the discharge. If VOCs are detected in the groundwater above the limits identified above, the petitioner shall not discharge the groundwater.

- Petitioner shall notify Lyle Ray of the Agency's Peoria regional office by telephone at 309/693-5463 when the groundwater is discharged from Stage #1 biofilter and when the discharge is completed. Written confirmation of each notice shall be sent within five days to the following address:

Illinois Environmental Protection Agency
Bureau of Water, Compliance Assurance Section
Attention: Mark T. Books
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- 4. Petitioner shall sign a certificate of acceptance of this provisional variance and forward that certificate to Mark T. Books at the address indicated above within ten days of the date of this order. The certification should take the following form:

CERTIFICATION

I (We), _____, hereby accept and agree to be bound by all terms and conditions of the order of the Pollution Control Board in PCB 00-91 dated December 2, 1999.

Petitioner

Authorized Agent

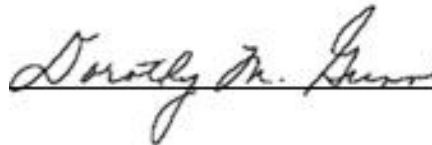
Title

Date

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 2nd day of December 1999 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

