

ILLINOIS POLLUTION CONTROL BOARD
September 1, 1977

PEOPLE OF THE STATE OF ILLINOIS and
THE ENVIRONMENTAL PROTECTION AGENCY,

Complainants,

v.

TRAVENOL LABORATORIES, INC.,
a Delaware corporation,

Respondent.

PCB 76-289

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

MS. ANNE MARKEY appeared on behalf of Complainants,
MR. JOHN G. CAMERON, JR. appeared on behalf of Respondent.

This matter comes before the Board on an Amended Complaint for violation of Rules 404(f) (suspended solids) and 407 (phosphorus) of Chapter 3: Water Pollution of the Board's Rules and Regulations. A hearing was held on July 25, 1977 and a stipulation was proposed at that time as a settlement of the case.

The stipulation recites the history of this problem and shows that the Respondent has attempted to rectify the situation. Violations of the Board's effluent standards have continued because the Respondent's wastewater treatment system has not performed as expected. Respondent has already spent \$605,500.00 on its system and expects to pay \$359,000.00 more before the effluent standards are met consistently.

Specifically the stipulation proposes the following actions by the parties. First, Travenol will commission a consultant to design modifications to its primary treatment facilities, including installation of preliminary wastewater screening and installation of a pond level indicating device. Physical-chemical process modifications will also be designed, including upgrading of alum and polymer feed systems and installation of polishing filtration equipment. In addition, the consultant will investigate and make recommendations for upgrading the aeration system and the sludge disposal and removal operation. Travenol Agrees to cooperate with the Agency to expedite any needed improvements. Second, interim standards for phosphorus and suspended solids are provided for warm weather months and for the period from November through April. Third, Travenol agrees to submit monthly progress reports to the Attorney General and the Agency and to permit inspection of its premises by representatives

of the Attorney General. Fourth, the Agency agrees to withdraw its denial of a permit to construct and operate a breakpoint chlorination/dechlorination system for controlling Ammonia-Nitrogen effluent and to approve the application for this permit. Finally, Travenol agrees to pay a penalty of \$1000.00. The parties agree that this Proposal for Settlement is expressly conditioned upon, and effective only with approval of the Board of all its provisions. The stipulation and in particular the provision for interim standards are acceptable to the Board as long as it is clearly understood that Respondent will be expected to consistently comply with all of the Board's effluent standards at the end of the 18 month (540 day) compliance schedule. The amount of the proposed penalty appears to be low but it is reasonable when it is coupled with Respondent's good faith efforts to comply.

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

ORDER

It is the Order of the Pollution Control Board that:

- 1) Within 20 days of the date of this Order, Respondent shall commission its consultant to design treatment plant modifications. These modifications shall include installation of preliminary wastewater screening equipment, a pond level indicating device, and physical-chemical process modifications such as upgrading the alum and polymer feed systems and providing polishing filtration.
- 2) The above listed modifications shall be implemented in accordance with the following schedule:

| | <u>Time (days)</u> |
|--|--------------------|
| Complete Detailed Engineering Plans and Specifications | 120 |
| Review by Respondent | 15 |
| Revisions if necessary and appli- cation for an Agency Permit | 15 |
| Agency permit approval | 30 |
| Advertise for bids | 30 |
| Award contract | 30 |
| Commence construction | 30 |

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| | |
|---------------------------------|-----|
| Complete construction, start-up | 240 |
| Achieve full operation levels | 30 |
| Total time of implementation | 540 |

3) Within 20 days of the date of this order, Respondent shall commission its consultant to study its treatment plant operations to determine whether and to what extent the Respondent's aeration and sludge removal and disposal systems should be upgraded.

4) Within 30 days after Respondent has received the results of the above mentioned study, it shall submit its plan to implement the study's recommendations to the Attorney General and the Agency for approval.

5) Until the Respondent has completed the modifications outlined above the following daily average interim effluent standards shall be met:

| | <u>BOD</u> | <u>Suspended Solids</u> | <u>Phosphorus</u> |
|-----------------------------|------------|-------------------------|-------------------|
| May 1 thru October 31 | 65 mg/l | 65 mg/l | 3.0 mg/l |
| November 1 thru April 30 | 20 mg/l | 25 mg/l | 2.0 mg/l |

6) When the schedule of compliance outlined in Paragraph 2 above has been completed. Respondent shall consistently comply with the requirements of Rule 404 and 407 of Chapter 3: Water Pollution. Respondent shall submit monthly progress reports to the Attorney General. Such reports shall include permit applications, permits and permit denials, and a description of the work of any delays encountered, the steps taken to overcome such delays, and the effects of these delays on the scheduled completion dates. These reports shall be addressed to:

Howard O. Chinn, Chief Engineer
Office of the Attorney General
188 West Randolph Street
Chicago, Illinois 60601

and

Manager, Region II Division of
Water Pollution Control
Illinois Environmental Protection Agency
1701 South First Avenue
Maywood, Illinois 60153

This reporting requirement shall cease in the month following completion of the modifications. However, Respondent will submit its monthly discharge monitoring reports to the Attorney General for six months following completion of all modifications.

7) Respondent will allow any duly authorized representative of the Attorney General's Office to inspect the facility and the work in progress.

8) Immediately following the date of this Order the Agency will withdraw its April 14, 1977, denial of Respondent's March 30, 1977, application for authority to construct and operate additional facilities and equipment for the purpose of controlling Ammonia-Nitrogen effluent concentrations by means of breakpoint chlorination/dechlorination and approve said application. Respondent hereby agrees to waive its right to challenge said denial in any administrative or judicial proceeding.

9) Within 35 days of the date of this Order, Respondent shall pay a penalty of \$1,000.00. Payment shall be made by certified check or money order payable to:

State of Illinois
Fiscal Service Division
Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 15th day of September, 1977 by a vote of 5-0.


Christian L. Moffett, Clerk
Illinois Pollution Control Board

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