

ILLINOIS POLLUTION CONTROL BOARD  
February 3, 1977

MOBIL OIL CORPORATION, )  
 )  
Petitioner, )  
 )  
v. ) PCB 76-272  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

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

This matter is before the Board on a Variance Petition concerning cyanide discharges from Petitioner Mobil Oil Corporation's Joliet Refinery into the Des Plaines River. The instant Petition was filed on October 29, 1976.

The factual background for Mobil's Petition is the same as that discussed in three prior variance cases, and need not be repeated here. Similarly, the procedural issues in this case are set forth in an Interim Order entered January 20, 1977 and, likewise, do not require repetition here.

It is sufficient to note that Mobil has been granted Variance from the cyanide limitations in Rule 408(a) and from Rule 1002 of Chapter 3: Water Pollution, of this Board's Rules and Regulations. In addition to other conditions, interim cyanide limitations were set in those Variance grants as shown in the following table, taken from the Environmental Protection Agency's (Agency) Recommendation in this matter of January 3, 1977:

<u>Case Name &amp; Citation</u>	<u>Duration of Variance</u>	<u>Interim CN Limitation</u>
PCB 73-452 13 PCB 179 (1974)	7/25/74 - 1/25/75	- Monthly Average 0.5 mg/l - Daily Maximum 0.8 mg/l
PCB 74-393 15 PCB 253 (1975)	1/25/75 - 1/24/76	- Monthly Average .3 mg/l - Daily Maximum .5 mg/l
PCB 75-420 19 PCB 524 (1975)	1/25/76 - 1/24/77	- Monthly Average .2 mg/l - Daily Maximum .32 mg/l

As in those previous Variances, the Agency again recommends that Mobil be granted a "research-type" Variance. The Agency agrees that the same hardship supporting our previous Variances remains applicable, and that adequate technology to reduce the cyanide in Mobil's effluent is not available.

As in the most recent of the above Variances, PCB 75-420, and for the reasons cited there, we agree with those contentions and find that a Variance is warranted.

The only remaining issue for decision, again as was the case in PCB 75-420, is the interim cyanide limitation which should be applied with the duration of the Variance grant. In its request for a decision without hearing in this matter, Mobil agreed to all of the conditions requested in the Agency's Recommendation, which are essentially similar to those in the previous Variance grants. The only change to be made under the Agency's Recommendation would be a slight increase in the allowable daily maximum for cyanide discharges, amounting to approximately .05 mg/l.

After examining the reports submitted by Mobil and the Agency in this matter, we feel that this minor increase will not affect the receiving water, and would reflect the cyanide discharge levels actually achievable by Mobil.

As was the case in the previous Variance, we shall again note that a general revision to the Board's cyanide discharge standards is presently pending, and shall condition this Variance on compliance with any standard which may be adopted thereunder. R74-15, -16, "Cyanide"; see also, R76-21, as it pertains to cyanide.

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

#### ORDER

IT IS THE ORDER OF THE POLLUTION CONTROL BOARD that:

1. Petitioner Mobil Oil Corporation is hereby granted a Variance from Rules 408(a) (cyanide only) and 1002 of Chapter 3: Water Pollution, of the Pollution Control Board Rules and Regulations for the period January 24, 1977 through January 24, 1978, subject to the following conditions:

a. Petitioner's cyanide effluent concentration shall not exceed a monthly average of 0.2 mg/l or a maximum at any time of 0.37 mg/l during the period of this Variance.

b. Petitioner shall continue its efforts to develop a control program to reduce its cyanide effluent concentration to 0.025 mg/l.

c. Petitioner shall continue to file bi-monthly progress reports with the Environmental Protection Agency, such reports to include as a minimum:

- (1) Progress on all cyanide control methods being pursued by Petitioner;
- (2) Any and all records of cyanide concentration in Petitioner's effluent, with at least four determinations to be made weekly.
- (3) Any and all records of cyanide concentrations at the edge of its wastewater mixing zone, with at least one determination to be made weekly.

d. Should a technologically feasible and economically reasonable method of compliance with the general standard of 0.025 mg/l total cyanide be developed during the term of this Variance, Petitioner shall commence immediately to implement such method as expeditiously as possible.

e. In the event a less restrictive general effluent limitation for cyanide is promulgated by this Board as a result of proceedings currently before the Board, Petitioner shall, within thirty (30) days, submit to the Illinois Environmental Protection Agency a final plan for compliance with such new standard, and shall implement such plan immediately.

2. Petitioner Mobil Oil Corporation shall, within thirty (30) days of the date of this Order, execute and forward a Certificate of Acceptance, in the form shown on the following page, to:

Environmental Protection Agency  
Control Program Coordinator  
2200 Churchill Road  
Springfield, Illinois 62706

CERTIFICATE OF ACCEPTANCE

I, (We), \_\_\_\_\_ having read  
the Order of the Illinois Pollution Control Board in  
case No. PCB 76-272, understand and accept said Order,  
realizing that such acceptance renders all terms and  
conditions thereto binding and enforceable.

\_\_\_\_\_  
SIGNED

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
DATE

I, Christan L. Moffett, Clerk of the Illinois Pollution  
Control Board, hereby certify the above Opinion and Order were  
adopted on the 3<sup>RD</sup> day of February, 1977, by a vote of 5-0.

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