

ILLINOIS POLLUTION CONTROL BOARD

May 6, 1976

INDUSTRIAL WATER SUPPLY COMPANY, )  
                                ) Petitioner, )  
                                ) )  
                                ) )  
                                ) )  
                                ) v. ) PCB 76-39  
                                ) )  
                                ) )  
ENVIRONMENTAL PROTECTION AGENCY, )  
                                ) Respondent. )

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

This matter comes before the Board upon Petition of Industrial Water Supply Company (IWS) for a variance from the requirements of the definition of "dilution ratio" as set forth in Rule 104 of Chapter 3 of the Board's Rules and Regulations. The purpose of the variance is to allow a controlled flow discharge from Petitioner's waste treatment facilities located at Ficklin, Douglas County, to the Kaskaskia River which would be maintained in the ratio of 5 to 1 or greater to allow Petitioner to meet the BOD and suspended solids limitations of Chapter 3, Rule 404(b). The Illinois Environmental Protection Agency (Agency) filed their recommendation on March 24, 1976; no hearing was held in this matter.

IWS owns and operates a treatment plant at Ficklin where it procures, treats and distributes treated water to the U.S. Industrial Chemicals Company and other users. In addition Petitioner treats the industrial effluent from U.S. Industrial Chemicals and discharges the treated effluent into the Kaskaskia River. Approximately 7 million gallons per day is extracted from a well field upstream from IWS. The water is then discharged to the River using it as a conduit to transport the water to the IWS plant as necessary. This water is removed from the River and processed at the IWS treatment facilities to be utilized by the manufacturing facilities and the City of Tuscola.

About one-half of the water is consumed by manufacturing processes, the remainder constitutes an industrial waste flow of approximately 3 million gallons per day which is treated by IWS in their

treatment facilities and discharged back into the Kaskaskia River.

During much of the year the treatment plant is able to produce an effluent BOD<sub>5</sub> of 10 mg/l or less, however, during the cold months, the natural biological action is reduced and BOD<sub>5</sub> values in excess of 10 mg/l are discharged. IWS utilizes a large number of lagoons and holding basins in their process and proposes to hold the waste water in lagoons, discharging at a controlled rate so that the ratio of water between the stream and discharge is always greater than 5 to 1, in order that the applicable effluent standard will be Rule 404(b) of Chapter 3, i.e. BOD<sub>5</sub> and suspended solid limitations of 20 mg/l and 25 mg/l, respectively.

The Agency finds the Petitioner's proposal feasible from an engineering standpoint but correctly points out that what Petitioner is seeking is a permanent variance which the Board cannot grant pursuant to the limitations of Section 36(b) of the Environmental Protection Act. Without a program that would eventually bring its effluent into compliance with the applicable Rule 404(f)(ii) standard, the Board finds the IWS Petition is insufficient and must be denied.

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

ORDER

It is the Order of the Pollution Control Board that

the Petition for variance of Industrial Water Supply Company be, and is, hereby, dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 6<sup>th</sup> day of May, 1976 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board