

ILLINOIS POLLUTION CONTROL BOARD
December 18, 1975

CITY OF FARMINGTON,)
Petitioner,)
)
v.) PCB 75-346
)
ENIVRONMENTAL PROTECTION AGENCY,)
Respondent.)

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

On September 4, 1975, the City of Farmington, Illinois, (Farmington) filed a Petition for Variance with the Pollution Control Board (Board), seeking a variance from Rule 404(f), Part IV, Chapter 3, of the Water Pollution Regulations of the State of Illinois (Water Regulations). Pursuant to the Board's More Information Order of September 18, 1975, Petitioner filed Addendum Number 1 to its Petition for Variance on October 20, 1975. The Illinois Environmental Protection Agency (Agency) filed its Recommendation on November 24, 1975. No hearing has been held on this matter.

Farmington, located in Fulton County, Illinois, owns and operates a wastewater treatment plant. Effluent from the plant is discharged into Littlers Creek, a tributary to the Spoon River. The Agency Recommendation indicates that the facility, constructed in 1956, was designed to serve and is presently serving a population of 4,000.

The Farmington Sanitary District has proposed to build a new sewage treatment facility which when completed will provide the sewage treatment for the City of Farmington. A Step I grant was awarded to the Farmington Sanitary District on March 31, 1975, and the Step I facilities plan has been completed and is being reviewed by the Agency. The current grant schedule indicates that Step II is to be completed by March, 1976, the Step III grant is to be awarded in September, 1977, and the anticipated completion date of the new Sanitary District facility is February, 1978.

Rule 404(f) of Chapter 3 requires that no effluent whose dilution ratio is less than one to one shall exceed 4 mg/l of BOD or 5 mg/l of suspended solids (SS). Littlers Creek has a seven day 10 year low flow of zero. However, Farmington's present facility cannot achieve the 4 mg/l BOD or 5 mg/l suspended solids limitations. Farmington Requests

and the Agency recommends that the Variance sought permit BOD and SS levels up to 40 and 50 mg/l, respectively. The Board is of the opinion that a trickling filter would result in BOD and SS levels of 20 and 25 mg/l, respectively. However, that information does not appear in the record and therefore the Board reluctantly concurs with the Agency's Recommendation. According to Farmington, the new facility proposed by the Sanitary District, with the granting of the exemption provided in Rule 404(f)(ii), will be able to meet 10 mg/l BOD₅ and 12 mg/l SS.

Prior to October 22, 1974, the Agency received citizen complaints about Farmington's facility indicating that septic sewage odors were common, that minnows were no longer present in Littlers Creek, and that the water in Littlers Creek was getting progressively worse. Since October 22, 1974, no citizen complaints have been received. Biological surveys conducted by the Agency on September 28, 1971 and November 7, 1974, to determine the effect of Petitioner's plant effluent on Littlers Creek indicate that the creek downstream of Farmington's plant was in a semi-polluted state. Agency grab samples of the effluent at Farmington's plant indicate BOD and SS levels as high at one point as 330 and 362, respectively, prior to November, 1974, with steady and significant improvement since that time.

During November, 1974, Farmington hired a new sewage treatment plant operator. The effluent sample results show a significant improvement in effluent quality since the new operator has been with Farmington. Sample results from March through August of 1975 show levels ranging from 26-43 mg/l BOD and from 18-48 mg/l SS. The operational efficiency of the plant has also improved, and there have been no more citizen complaints. Data submitted by Farmington indicates that the dissolved oxygen levels in Littlers Creek during October and May of 1975 meet the required levels. Furthermore, Farmington on August 5, 1975, was issued an Agency permit to construct, own and operate a grit chamber designed to handle a maximum flow of 2.8 MGD and chlorination facilities designed to feed 200 pounds of chlorine per day at the existing plant. The new facilities will improve the performance and reliability of the present treatment system .

The Board grants Farmington variance from Rule 404(f) of Chapter 3. The Board accepts the allegation that there is no reasonable method by which Farmington may comply with the BOD and SS limitations of Rule 404(f) in the operation of its wastewater treatment plant. Requiring such compliance would impose an unreasonable hardship. The effluent quality and operational efficiency improvements brought about since the hiring of the new plant operator and the proposal of a grit chamber and chlorination facility indicate that Farmington

has begun a good faith effort to control as much as possible the amount of BOD and SS in its effluent. Furthermore, the Farmington Sanitary District has proposed a new facility to provide the sewage treatment for the City of Farmington. This new facility will apparently comply with Rule 404(f). An NPDES permit, which will expire on March 31, 1977, has been proposed for Farmington's present facility. Therefore, the Board will tie the period of the present variance to the expiration date of Farmington's proposed NPDES permit and will grant Farmington's variance until March 31, 1977.

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 the City of Farmington be granted variance from the BOD₅ and suspended solids limitations of Rule 404(f), Part IV of Chapter 3 of the Water Regulations for its wastewater treatment facility until March 31, 1977, upon the following conditions:

A. That the wastewater treatment plant be operated and maintained in the best possible manner with the effluent concentration not exceeding 40 mg/l BOD and 50 mg/l suspended solids;

B. That a grit chamber and chlorination facility be installed and operated as soon as practicable, in no event later than January 31, 1976;

c. That Farmington submit monthly reports to the Environmental Protection Agency indicating the levels of BOD₅ and SS levels contained in its effluent;

D.. Within 28 days of the adoption of this Order, the Petitioner shall execute and forward to both the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 and the Pollution Control Board a Certification of Acceptance and agreement to be bound to all terms and conditions of this Order. The form of said certification shall be as follows:

CERTIFICATION

I (We), _____ having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 75-346 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

Signed _____

Title _____

Date _____

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 18th day of December, 1975 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board