

ILLINOIS POLLUTION CONTROL BOARD

May 2, 1974

ILLINOIS POWER COMPANY

v.

ENVIRONMENTAL PROTECTION AGENCY

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PCB 74-10

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

Petitioner filed a Variance Petition on January 4, 1974 which sought a variance from Rule 404(a)(i) and 405 of the Water Pollution Regulations. The Board ordered that Petitioner submit additional information regarding the flow and environmental impact of Petitioner's discharge on January 10, 1974. Petitioner amended its original variance petition and submitted the additional requested information on March 13, 1974. The Agency recommended that the Board grant the variance on March 4, 1974. Petitioner again amended its variance petition on March 13, 1974 in response to questions raised in the Agency's Recommendation. The Agency filed a supplement to its original recommendation on April 18, 1974. No hearing was held.

Petitioner operates the Illinois Power Company's Wood River Station located in Madison County, near East Alton, Illinois. Sanitary waste generated at this station are treated by a primary treatment facility which has an average flow of 4,500 gallons per day. Unchlorinated effluent is discharged to the discharge tunnel where it mixes with cooling water and other discharges prior to being carried to the Mississippi River. Agency grab samples indicate that the primary system effluent prior to mixture in the tunnel discharge is 70 mg/l BOD₅ and 110 mg/l suspended solids with a fecal coliform count per 100 ml of over 2,000,000. Agency grab samples of the discharge tunnel effluent indicate that it contains 3 mg/l BOD₅, 150 mg/l suspended solids and 700 fecal coliform per 100 ml. Both the Petitioner and the Agency state that the discharge has no noticeable adverse environmental impact on the Mississippi River and that there would be no possible public water supply hazard from this discharge. However, Petitioner's primary plant effluent is in violation of Rule 404(a)(i) and 405.

Petitioner has indicated and the Agency agrees that the delay in constructing the sanitary sewer extension which would connect Petitioner's facility with the Alton Sewage Treatment Plant was caused by above average rainfalls and high water conditions in the Mississippi River. This delay was beyond Petitioner's control. Petitioner now estimates that by June 30, 1974 it will have diverted sanitary wastes to the Alton Sewage Treatment Plant.

The Board agrees that the year and a half delay was beyond Petitioner's control and that Petitioner has submitted sufficient information to warrant the grant of the requested variance. Because of the short period of time until Petitioner will have completed the sanitary sewer extension and the minimal environmental impact, the Board has declined to require the posting of a bond or the submittal of monthly operating reports. The Agency states that it has no serious objection to the granting of the variance without the customary bond or requirement for reports.

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

ORDER

The Board hereby grants Illinois Power Company a variance from Rules 404(a)(i) and 405 of the Water Pollution Regulations until June 30, 1974 subject to submitting monthly progress reports to the Agency on the sewer extension project.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 2ND day of May, 1974 by a vote of 4-0



Christan L. Moffett, Clerk
Illinois Pollution Control Board