

average design flow is 30,000 gallons per day, utilizing pumps designed to pump 125 gallons per minute with nozzels, each dis-bursing 62.5 gallons per minute at 80 pounds pressure to the farthest point in the irrigation field.

After the compliance program was developed by Petitioner in consultation with the Agency, the Board ordered on March 29, 1973, (PCB 71-319) Petitioner to comply with the following timetable:

"Date by which contracts
are to be awarded 30 days after Agency
permit for installation
of the system is issued.

Start of construction . . . 15 days after contracts
are awarded.

Completion of con-
struction 4 months after construction
is started.

Start of full operation . . 1 week after construction
is completed."

Subsequent events which relate to the present petition for variance are summarized below from the Agency's Recommendation that was received by the Board on March 5, 1974. The Agency issued to Petitioner on May 25, 1973, permit #1973-EA-1055 for construction and operation of a spray irrigation facility to control water pollution, and approved his Project Completion Schedule, Certificate #1973-194-PCS, on August 20, 1973. The spray irrigation facility started operation on November 16, 1973, but the submersible pumps did not operate at required design pressure and a water problem developed in one spray field because of a broken drain tile. During late December, 1973, and early January, 1974, further difficulties were encountered, including flooding of five of the six spray irrigation fields and freezing of the spray irrigation facility, which resulted in pollution of the Flat Branch of the South Fork Sangamon River. On January 9, 1974, Petitioner diverted its plant wastes back to its extended aeration basin to abate further pollutional discharges until the spray irrigation facility could be rehabilitated. On January 15, 1974, Petitioner notified its Agency by letter of "the following steps being taken to rectify the problems with its spray irrigation system:

- (a) The contractor will repair and/or replace, if necessary, the automatic control valve on January 14, 1974, and have it back in operation by January 18, 1974.
- (b) Only those irrigation fields not covered by water will be used.
- (c) The existing levee will be raised three feet.

(d) The field tile causing infiltration into the field will be located and its flow diverted around the field.

(e) Reseed in the Spring, if necessary, to obtain grass cover."

The Petitioner stated that the new spray irrigation facilities cost approximately \$75,000 to January 25, 1974, when this petition for variance was filed.

The Agency believes that Petitioner's plan to temporarily divert its plant wastes back to the previously abandoned extended aeration treatment system is the "most logical and practical short-term approach" (even though the effluent produced is not entirely satisfactory), while Petitioner's spray irrigation system is promptly rehabilitated to fully meet applicable standards.

"The Agency believes that Petitioner's requested variance would not have a prolonged adverse environmental impact on the receiving stream." However, they stated that care should be taken to avoid a possible odor nuisance problem during warm weather by lime application or other alternatives.

The Agency believes that Petitioner (a) "has acted diligently in attempting to comply with the Board's past Orders and the applicable Rules and Regulations" and (b) "has and will continue to act diligently in solving its present problems with its spray irrigation system." The Agency recommended that this petition for variance be granted, with a timetable suggested by Petitioner, but with certain conditions, including a maximum time limit of September 30, 1974, for completion. The Board concurs in this approach, and the following Order is written accordingly.

ORDER

The Illinois Pollution Control Board hereby grants Petitioner a variance from Section 12(a) of the Environmental Protection Act to rehabilitate its spray irrigation treatment system according to the following time schedule and subject to the other conditions specified below:

(1) Petitioner shall take any and all measures which would assure completion of improvements in its spray irrigation treatment system by the earliest practicable date, but no later than September 30, 1974, with the following progress datelines:

- (a) Date by which plan to bring
 Petitioner into Compliance
 with Act and applicable Rules
 and Regulations submitted to
 Agency 65 days, if possible,
 after this petition
 for variance was sub-
 mitted by Petitioner,
 but not later than
 April 15, 1974.

- (b) Completion of construction and start of full operation of rehabilitated system 120 days after approval by Agency.

(2) In the operation of its extended aeration system during the interim period, Petitioner shall undertake all measures necessary to minimize environmental harm, including the application of lime or other feasible alternatives to prevent the occurrence of an odor nuisance during the summer months.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 28th day of March, 1974, by a vote of 5 to 0


Christan L. Moffett, Clerk