

ILLINOIS POLLUTION CONTROL BOARD
March 6, 2003

IN THE MATTER OF:)
)
PETITION OF EXELON GENERATION) AS 03-1
COMPANY FOR AN ADJUSTED) (NPDES Adjusted Standard)
STANDARD FROM 35 ILL. ADM. CODE)
302.208)

ORDER OF THE BOARD (by N.J. Melas):

On December 19, 2002, Exelon Generation Company (Exelon) filed a petition with the Board for an adjusted standard from 35 Ill. Adm. Code 302.208(g) (Pet.). On February 6, 2003, the Board found the Exelon petition deficient in some respects and ordered Exelon to file an amended petition including additional information in support of their request. Exelon filed the amended petition, providing all of the requested information, on February 18, 2003. Along with the amended petition, Exelon filed a motion to file the amended petition without having to refile the feasibility study it included as an attachment to the original petition.

Exelon seeks relief for discharges from its Services and Training Center (STC) located south of Braidwood in Will County. The discharge includes domestic and cafeteria waste streams, as well as pollution control waste produced in the electro dialysis reversal (EDR) process used to treat the brackish groundwater to potable standards. Exelon waives its opportunity for a hearing.

The STC discharges into a small drainage ditch tributary to Horse Creek, about 3.5 miles upstream of the confluence of Horse Creek with the Kankakee River. Exelon's National Pollutant Discharge Elimination System (NPDES) permit (No. IL006300) limits total dissolved solids (TDS) in STC's discharge to 1000 mg/L. This limit, which is based on the Board's general use water quality standard for TDS (35 Ill. Adm. Code 302.208(g)), will become effective March 30, 2003. Exelon seeks a limit of 1900 mg/L TDS for discharges from its STC. According to the petition, Exelon's effluent exceeds the prospective TDS limits due to the high concentrations of TDS in the groundwater Exelon uses to provide water for the STC. Pet. at 3, 4.

Section 28.1 of the Environmental Protection Act (Act) (415 ILCS 5/28.1 (2002)) and 35 Ill. Adm. Code 104.408 require that notice of an adjusted standard proceeding be published in a newspaper of general circulation in the area affected by the petitioner's activity. The notice must be published within 14 days of filing a petition for an adjusted standard with the Board. See 35 Ill. Adm. Code 104.408(a). As required by 35 Ill. Adm. Code 104.410, Exelon filed a certificate of publication with the Board on March 5, 2003, indicating that notice of the petition was published in the *Herald News* and the *Braidwood Journal* on February 26, 2003. The Board finds that the notice meets the requirements of the Act and the Board's procedural rules.

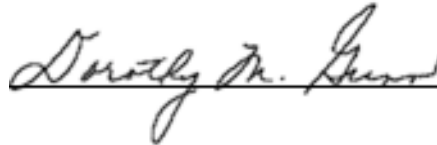
The Board found in the February 6, 2003 order that the notice satisfied the requirements of Section 28.1 of the Act (415 ILCS 5/28.1 (2002)) and 35 Ill. Adm. Code 104.408 and 104.410.

The Board finds that the amended petition satisfies the information sufficiency requirements of 35 Ill. Adm. Code 104.406, 104.426 and 720.131(c). The Board also grants Exelon's motion to file the amended petition without having to refile the feasibility study and incorporates the study as Attachment 1 as requested by Exelon.

Pursuant to Board procedural rules, the Environmental Protection Agency must file its recommendation with the Board within 45 days after the filing of the amended petition, or by April 4, 2003. 35 Ill. Adm. Code 104.416(a).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 6, 2003, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board