

ILLINOIS POLLUTION CONTROL BOARD
May 3, 1973

REYNOLDS METALS COMPANY,
a corporation

v.

PCB 72-518

ENVIRONMENTAL PROTECTION AGENCY

OPINION OF THE BOARD (by Mr. Dumelle)

This opinion is in support of the Board order entered herein on April 12, 1973. This is a petition requesting a variance from Rules 921(d) and 1002 of the Water Regulations until June 1, 1973 and also from Rule 903(a) until such time as the Agency shall grant petitioner's resubmitted operating permit application for its outfall. Hearing was held on March 2, 1973.

Reynolds owns and operates a large manufacturing facility at McCook, Illinois for the making and shaping of aluminum alloys. The plant employs 2,500 people. They produce annually around 450,000,000 pounds of aluminum alloy in sheet, plate and other forms from aluminum pig, scrap and various alloying metals. Waste materials from the operation include oils, acids, caustics, phosphates and various metals and metal oxides, both as suspended and dissolved solids. They operate a wastewater treatment system consisting of pH adjustment followed by oil skimming, emulsion breaking, dissolved solid precipitation, flocculation and clarification.

They maintain three outfalls, all of which discharge into the Summit-Lyons Ditch. The West outfall discharges from the industrial wastewater treatment plant, the East outfall discharges oil separator effluent and the third outfall is for bypassing the industrial wastewater treatment effluent during heavy rainfall. The bypass is rarely used since petitioner maintains three retention ponds to alleviate the need for bypassing.

Petitioner is currently operating its East outfall pursuant to an Agency permit. Their permit application for the West outfall was denied by the Agency on November 21, 1972 because under Rule 921(d) a permit cannot be issued until a project completion schedule is filed and approved pursuant to Rule 1002 and none has been filed.

Within one week after receiving the Agency's letter of denial, the petitioner's plant engineer and members of his staff met with persons from the Agency's permit section to discuss the denial. As a result of that meeting and of the petitioner's engineering staff's subsequent investigation of the West outfall treatment plant petitioner decided to seek outside expertise to determine and design the modifications to its entire wastewater treatment system as would be necessary for timely compliance with both federal and state requirements.

Early in December, 1972 the petitioner contacted a nationally-known firm of environmental consulting engineers to prepare a project completion schedule for the Agency. After review of the plant and treatment facilities, a joint determination was made in mid-December by the consulting engineers and petitioner's own engineers that a project completion schedule could be prepared and submitted to the Agency by June 1, 1973.


Prior to the adoption of the Board's current Water Pollution Regulations, the petitioner had undertaken efforts to reduce the fluoride levels through process modifications. Control of fluoride levels was attempted through reduction of the amount of fluoride being discharged into the wastewater. This method was attempted because low level concentrations of fluorides are very difficult to treat, and also since the petitioner's existing treatment facilities were designed to treat heavy metals, oils and suspended solids rather than fluorides. Input of fluorides to the wastewater was in fact reduced by fifty percent by May, 1972 through work with its conversion coatings suppliers on changing the chemical formulation of various coatings. An even further reduction in fluoride input was achieved by the same method in September 1972.

As we have done in other cases recently, we will grant the variances so that the petitioner may receive its permit for the facility. We should note, however, that this variance in no way excuses the petitioner from compliance with any substantive provisions of the Act or Regulations.

The Agency did recommend a denial for the reason that the hardship was self imposed. We take the position that a denial would serve no useful purpose at this point. There are only a few months involved and we would rather see permits issued and the job completed.

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

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion was adopted on the 3rd day of May, 1973 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board