

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

September 30, 2003

City Of West Frankfort	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	IEPA-03-002
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	(Provisional Variance- Water)
	)	
Respondent.	)	
	)	

Re: Provisional Variance From 35 Ill. Adm. Code 302.212 For Ammonia Nitrogen, 304.120(c) For CBOD<sub>5</sub>, And 304.120(c) For Suspended Solids NPDES Permit # IL0031704

Dear Mayor Woolard:

The Agency has completed its technical review of the attached provisional variance request submitted by the City of West Frankfort on September 12, 2003. Based on the review, the Agency GRANTS the requested provisional variance subject to specific conditions set forth below for a period of 45 days.

The City of West Frankfort seeks a provisional variance to rehabilitate the plant's packed bed reactor rotary distributor center column seals and bearings. Units that will remain in operation during the term of the provisional variance include: primary clarifiers; dual trickling filters; and secondary clarifiers.

The Agency's review of the requested provisional variance has concluded the following:

1. The environmental impact from the proposed activity should be minimal;
2. No other reasonable alternative appears available;
3. No public water supplies should be affected;
4. No federal regulations will preclude the granting of this request; and
5. The City will face an arbitrary and unreasonable hardship if the request is not granted.

The Agency hereby GRANTS the City of West Frankfort a provisional variance from 35 Ill. Adm. Code 302.212 for ammonia nitrogen, from 35 Ill. Adm. Code 304.120(c) for

CBOD<sub>5</sub>, and from 304.120(c) for total suspended solids for a period of 45 days beginning when the Petitioner notifies the Illinois EPA that repairs have begun subject to the following specific conditions:

- A. During the variance period, the City's effluent shall meet the monthly average concentrations of 40 mg/l for CBOD<sub>5</sub>, 50 mg/l for total suspended solids, and 15 mg/l for ammonia nitrogen.
- B. The City shall notify Barb Conner of the Agency by telephone at 217/782-9720 when construction starts and again when construction is completed. Written confirmation of each notice shall be sent within five days to the following address:

Illinois Environmental Protection Agency  
Bureau of Water – Water Pollution Control  
Attention: Barb Conner  
1021 North Grand Avenue East, MC #19  
P.O. Box 19276  
Springfield, Illinois 62794-9276

- C. The City shall sign a certificate of acceptance of this provisional variance and forward that certificate to Barb Conner at the address indicated above within ten days of the date of this order. The certification should take the following form:

I (We) \_\_\_\_\_, hereby accept and agree to be bound by all terms and conditions of the provisional variance granted by the Agency in \_\_\_\_\_ dated \_\_\_\_\_.

\_\_\_\_\_  
Petitioner

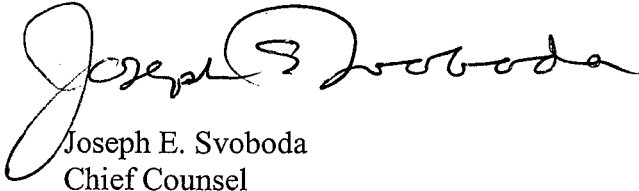
\_\_\_\_\_  
Authorized Agent

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

- D. The City shall continue to monitor and maintain compliance with all other parameters and conditions specified in its National Pollutant Elimination Permit No. IL 0031704.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph E. Svoboda". The signature is fluid and cursive, with a large initial "J" and "S".

Joseph E. Svoboda  
Chief Counsel

Enclosure

CC: IPCB, Clerk