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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

August 12, 2004

Village of Goreville)	
)	IEPA 05-1
Petitioner,)	
)	
v.)	
)	IEPA-04-364
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	(Provisional Variance- Water)
)	
Respondent.)	
)	

Re: Provisional Variance From 35 Ill. Adm. Code 304.120(a) for CBOD₅, and
304.120(a) for Suspended Solids
NPDES Permit # ILG580116

Dear Mayor Vaughn:

The Agency has completed its technical review of the attached provisional variance request submitted by the Village of Goreville on August 4, 2004. Based on the review, the Agency GRANTS the requested provisional variance subject to specific conditions set forth below for a period of 30 days.

The Village of Goreville seeks a provisional variance to complete necessary repairs to the sewage treatment plant lagoon cell #1. Actual work included in the project consists of excavating the existing lagoon berm where water has seeped through the earthen material, and re-compacting the troubled area with a clay/bentonite mixture. A potential problem that could be encountered if this work is not done consists of complete failure of the lagoon berm. The water in cell #1 must be lowered so that the work can be completed in a safe manner. Diversion of the water during the construction period will be accomplished by closing various valves at the treatment plant so that the water enters directly into cell #2. The existing water in cell #1 must be pumped from cell #1 into cell #2 by use of a 4" trash pump.

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 effected;
4. No federal regulations will preclude the granting of this request; and
5. The Village will face an arbitrary and unreasonable hardship if the request is not granted.

The Agency hereby GRANTS the Village of Goreville a provisional variance from 35 Ill. Adm. Code 304.120(a) for CBOD₅ and suspended solids. The provisional variance is effective for a 30-day period retroactive to August 9, 2004, continuing through September 7, 2004, and is subject to the following specific conditions:

- A. During the variance period, the Village's effluent shall meet the monthly average concentrations of 75 mg/l for CBOD₅ and 75 mg/l for suspended solids.
- B. The Village 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 Village 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

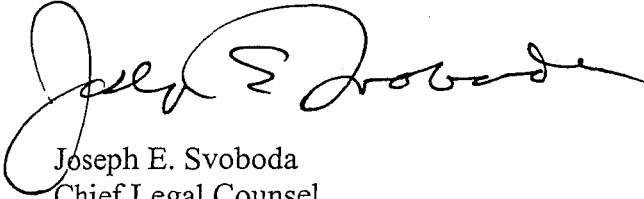
Title

Date

- D. The Village shall continue to monitor and maintain compliance with all other parameters and conditions specified in its National Pollutant Discharge Elimination System Permit No. ILG580116.

The Illinois EPA grants this provisional variance in accordance with its authority contained in Sections 35(b), 36(c), and 37 (b) of the Illinois Environmental Protection Act (415 ILCS 5/35(b), 36(c), and 37(b)) (2002). The decision to grant this provisional variance is not intended to address compliance with any other applicable laws or regulations.

Sincerely,



Joseph E. Svoboda
Chief Legal Counsel

Enclosure

CC: IPCB, Clerk -

Rodney L. Potts, P.E., John H. Crawford & Associates, P.C.