

ILLINOIS POLLUTION CONTROL BOARD
December 17, 1998

IN THE MATTER OF:)
)
PETITION OF ABBOTT LABORATORIES) AS 99-5
FOR ADJUSTED STANDARD FROM 35) (Adjusted Standard - Water)
ILL. ADM. CODE 302.208 AND 304.105)

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

On November 12, 1998, Abbott Laboratories (Abbott) filed a petition with the Board for an adjusted standard from 35 Ill. Adm. Code 302.208(g) and 304.105. Abbott requests relief from the general use water quality standards for chlorides and total dissolved solids (TDS). The requested adjusted standard applies to a stretch of the Middle Fork of the North Branch of the Chicago River below Abbott's two discharge points. On December 3, 1998, Abbott filed a certification of publication.

The petition has not adequately addressed certain informational sufficiency requirements of 35 Ill. Adm. Code 106.705 that pertain to the nature of the discharge, compliance alternatives, and environmental impact. Specifically the petition fails to provide:

1. A complete description of "the qualitative and quantitative nature of emissions, discharges or releases currently generated by the petitioner's activity" 35 Ill. Adm. Code 106.705(d). While Abbott has provided information concerning the levels of chlorides and TDS in its effluent discharge, it has not provided any specific information about the effluent discharge flow rates from the discharge points into the Middle Fork. Abbott contends that storm water runoff from Illinois Highway 43 is a major contributor of TDS and chlorides to its pond system. Abbott must provide the Board with figures on the amount of discharge attributable to stormwater runoff, process water, and (if applicable)any other source.

2. A discussion of all compliance alternatives with the corresponding costs for each alternative, including a discussion of the "overall capital costs as well as the annualized capital and operating costs." 35 Ill. Adm. Code 106.705(e). In discussing alternative deicing strategies, Abbott states that the use of alternative materials would be 100 times more expensive than salt based compounds, but does not present any detailed cost information as required by Section 107.105(e). Also, Abbott has not provided enough information concerning the option of sending the discharge from its ponds to the local sanitary district for treatment. Specifically, Abbott does not address whether the sanitary district would be willing to accept the discharge from its pond system. If the sanitary district would accept and treat the discharge, then Abbott must provide figures on how much this option will cost.

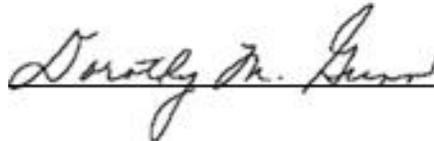
3. A complete "narrative description of the proposed adjusted standard as well as proposed language for a Board order which would impose the standard." 35 Ill. Adm. Code 106.705(f). In its petition, Abbott states that it is periodically not in compliance with water quality standards during the winter months. Pet. at 5. However, Abbott does not specify if the proposed adjusted standard should be in effect throughout the year or only for the winter months. The Board directs Abbott to clarify this point.

4. "The quantitative and qualitative impact of the petitioner's activity on the environment if the petitioner were to comply with the regulation of general applicability as compared to the quantitative and qualitative impact on the environment if the petitioner were to comply only with the proposed adjusted standard." 35 Ill. Adm. Code 106.705(g). While the petition addresses the qualitative impact of the proposed adjusted standard, it does not include any information concerning the quantitative impact on the Middle Fork due to the effluent from the discharge points.

The Board therefore directs the petitioner to address the information requirements of Section 106.705 in an amended petition. The amended petition must be filed with the Board by January 15, 1999, or this petition will be dismissed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of December 1998 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board