

ILLINOIS POLLUTION CONTROL BOARD
November 17, 1988

COMMONWEALTH EDISON COMPANY)
 KINCAID POWER STATION,)
)
 Petitioner,)
)
 v.) PCB 88-187
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board upon receipt of an Agency recommendation dated November 15, 1988. The recommendation refers to a request from petitioner Commonwealth Edison Company, Kincaid Power Station, for a 45-day provisional variance from the water effluent standards set forth at 35 Ill. Adm. Code 304.120 and 304.141. Petitioner requests the variance to allow time to perform needed maintenance work on its sewage treatment plant outfall 001(c). The Agency states that it believes that petitioners has correctly identified the necessary work, and that denial of the requested provisional variance would impose an arbitrary and unreasonable hardship on petitioner.

The Board concurs with the Agency recommendation. Petitioner is granted a provisional variance subject to the following conditions:

- a. Variance shall begin November 28, 1988 and continue until January 12, 1989.
- b. Petitioner shall notify Tim Zook of the Agency's Springfield Regional Office via telephone at 217/786-6892 when the trickling filter is removed from service, when the maintenance work is begun and when the work is completed. Written confirmation of each notification shall be sent within 5 days to:

Illinois Environmental Protection Agency
4500 South Sixth Street
Springfield, Illinois 62706
Attn: Tim Zook

Illinois Environmental Protection Agency
2200 Churchill Road
P. O. Box 19276
Springfield, Illinois 62794-9276
Attn: Mark T. Books

- c. Petitioner shall continue to monitor the effluent from its treatment plant for the parameters as listed in NPDES permit IL0002241.
- d. During the variance, the effluent from Petitioner outfall 001(c) (sewage treatment plant) shall be limited to 45 mg/l (monthly average) for both BOD and total suspended solids.
- e. During this provisional variance, Petitioner shall operate its wastewater treatment facility so as to produce the best quality effluent practicable. Additionally, Petitioner shall perform the necessary maintenance and construction work at the STP as expeditiously as possible so as to minimize the period of time that the trickling filter is out of service.
- f. Within 20 days of the date of the Board's order, Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to Mark T. Books at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

Attn: Mark T. Books

This variance shall be void if Petitioner fails to execute and forward the certificate within the twenty day period. The twenty day period shall be held in abeyance during any period that this matter is being appealed. The form of said Certification shall be as follows:

CERTIFICATION

I, (We), Commonwealth Edison Company, Kincaid Power Station, having read the Order of the Illinois Pollution Control Board, in PCB 88-187, dated November 17, 1988, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

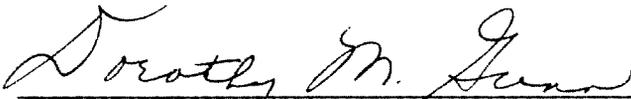
By: Authorized Agent

Title

Date

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 November, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board