



The District discharges the treated sewage into the South Branch of the Kishwaukee River at a point in the stream with a minimum one-in-ten years, seven day average flow of 0.1 CFS. The average dry weather dilution ratio for 1976 was zero.

The District is requesting a variance from the 0.025 mg/l standard established in Rule 408(a) to allow discharges of cyanide not to exceed the following levels: 0.1 mg/l for a 30 day average; 0.2 mg/l for a 24 hour composite sample; and 0.5 mg/l for any instantaneous sample. The Agency recommends granting the variance. In support of its position, the Agency notes that there is no environmental harm expected as a result of granting this variance and that the imminence of final decision in R74-15, -16 also justifies this action.

The Company is in the metal finishing business, providing plating and other metal finishing services on various metal materials. The Company serves local industries in the De Kalb-Sycamore area and provides services to customers within a 50 mile radius of De Kalb.

The Company is requesting that the Board's Order of October 13, 1977 (PCB 77-169) be extended for 90 days, in which time the Plating Company can comply with Sanitary District Ordinance No. 199. This Ordinance requires the Plating Company to limit its sewer discharges to 1.16 mg/l of cyanide. The Agency recommends that this request be denied, citing a failure on the part of the Company to provide data and to explain its program for compliance. The Agency notes that the District will only be able to comply with its 0.1 mg/l effluent standard if the Company meets a 1.16 mg/l cyanide standard.

The Board finds that the granting of the District's request is warranted. The Board agrees with the Agency that no environmental harm should be expected as a result of granting this request. In light of the pendency of R74-15, -16, and in order to eliminate the need to refile for yet another extension, the Board grants this variance for one year from the date of this Opinion, or until final decision in R74-15, 16, whichever occurs first.

However, the Board agrees with the Agency that the Company's request should be denied. As the Agency noted, compliance with Ordinance No. 199 must occur irrespective of when final decision occurs in R74-15, -16. Since the Company has failed to provide pertinent information, its request must be denied.

This Opinion constitutes the findings of fact and conclusions of law of the Board in this matter.

ORDER

It is the Order of the Pollution Control Board that:

1. De Kalb Plating, Incorporated's request for an extension of Board Order, PCB 77-169, be denied.
2. The Sanitary District of De Kalb's request for a variance from Rule 408(a) of the Board's Water Pollution regulations be granted, subject to the following conditions:
  - A. Said variance shall extend no longer than one year from the date of this Order, or until the final decision in R74-15, -16, whichever shall occur first.
  - B. The District's total cyanide effluent discharge to the South Branch of the Kishwaukee River shall not exceed 0.1 mg/l for any 30 day average, 0.2 mg/l for any 24 hour composite sample and 0.5 mg/l for any instantaneous sample.
  - C. Within 45 days of the adoption of this Order, the Sanitary District of De Kalb and De Kalb Plating, Incorporated shall execute and forward to the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706 a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

CERTIFICATION

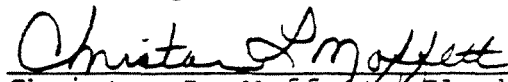
I (We), \_\_\_\_\_ having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 78-5 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 6<sup>th</sup> day of July, 1978 by a vote of 40.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board