

ILLINOIS POLLUTION CONTROL BOARD  
April 2, 1981

VILLAGE OF BLUFFS, )  
 )  
 ) Petitioner, )  
 )  
 ) v. ) PCB 80-202  
 )  
 ) ILLINOIS ENVIRONMENTAL PROTECTION )  
 ) AGENCY, )  
 )  
 ) Respondent. )

OPINION AND ORDER OF THE BOARD (by I. Goodman):

The Village of Bluffs, Illinois (Bluffs) filed this petition for variance on November 3, 1980 requesting relief from discharge limitations upon BOD<sub>5</sub>, suspended solids, and ammonia nitrogen in its wastewater effluent. Hearing was waived and the Board has received no public comment. Bluffs requests variance from Rules 404(a), 203(f) and 914 of Chapter 3: Water Pollution Control Rules and Regulations.

Bluffs' facility consists of an Imhoff tank followed by a three-cell, aerated lagoon providing treatment for wastewater generated by approximately 900 people. Bluffs alleges that it cannot meet the applicable BOD<sub>5</sub>, suspended solids and ammonia nitrogen limitations, but that it plans to upgrade its facility through the construction grants program by constructing intermittent sand filters.

Bluffs produced data from 1978 and 1979 to evidence its inability to comply with the effluent limitations. The Agency's Recommendation indicates that more recent 1980 data shows that Bluffs is in substantial compliance with Rule 404(a) for both BOD<sub>5</sub> and total suspended solids and therefore believes that a variance is unnecessary. These Agency data indicate that there were no excursions of BOD<sub>5</sub> limitations during 1980 and only two excursions of the total suspended solids limitation, both of which were of minor environmental consequence.

With regard to ammonia nitrogen, routine Agency grab samples show effluent concentrations of ammonia nitrogen to be in substantial compliance except during winter months. Influent ammonia loading to the plant is approximately 22 pounds per day. Rule 402.1(a) provides an exemption to the ammonia nitrogen limitation until July 1, 1982 of sources having untreated ammonia influent loadings not exceeding 60 pounds per day and not otherwise needing upgrading in order to meet the requirements of Chapter 3.

The Agency alleges, and the Board agrees, that Bluffs does not require a variance at this time. The most recent data indicate that excursions with regard to BOD<sub>5</sub> and suspended solids are de minimus in nature and do not preclude the invocation of the Rule 402.1(a) exemption to the ammonia nitrogen limitation. Thus, Bluffs will not need a variance until July 1, 1982 if it continues operation of the wastewater facility in such a manner as to achieve the lawful results recorded in 1980. The Board shall, therefore, deny Bluffs variance as unnecessary.

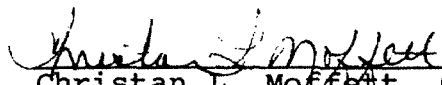
The Agency's February 17, 1981 motion to file recommendation late is granted.

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

ORDER

It is the Order of the Illinois Pollution Control Board that the petition for variance by the Village of Bluffs, Illinois, be and hereby is denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 2<sup>nd</sup> day of April, 1981 by a vote of 3-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board