

ILLINOIS POLLUTION CONTROL BOARD
March 5, 1981

TRAVENOL LABORATORIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 80-207
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by D. Satchell):

This matter comes before the Board upon a petition for variance filed November 10, 1980 by Travenol Laboratories, Inc. (Travenol). The petition requests extension of a variance previously granted by the Board (PCB 79-47, 36 PCB 163, November 29, 1979). The petition requests a variance from Rule 702(a) of Chapter 3 which prohibits discharge to sewers of mercury at concentrations in excess of 0.0005 mg/l. An amended petition was filed December 12, 1980, including an affidavit pursuant to Procedural Rule 401(b). On February 2, 1981 the Illinois Environmental Protection Agency (Agency) recommended that the variance be granted with conditions. No hearing was held and no public comment was received.

Travenol operates a pharmaceutical research and development facility at 6301 Lincoln Avenue in Morton Grove, Cook County. Additional details of the facility and processes are found in the Board's previous Opinion and Order which is incorporated by reference.

Travenol discharges to four separate sewers designated 1A, 2A, 3A and 4A. These are tributary to the North Side Treatment Plant of the Metropolitan Sanitary District of Greater Chicago (MSD). The parties agreed that petitioner has complied with conditions of the Board's Order in PCB 79-47. The following is a listing of average mercury concentrations from Travenol's discharges from May, 1979 to September, 1980 (Pet. 3, Attachment I; Rec 2).

<u>Discharge</u>	<u>Mean Concentration mg/l as Hg</u>
1A	0.0002
2A	0.00221
3A	0.00025
4A	0.00058

Data from the MSD discharge is also presented (Pet. Attachment I; Rec. 2). MSD has monthly averages less than the 0.0005 mg/l, but some daily averages are slightly in excess of this number [Rules 401(c) and 408(a)].

Examination of the effluent data presented by Travenol leads to the conclusion that it is capable of meeting interim limitations more stringent than those imposed in the last variance or those recommended by the Agency. These will be set forth in the Order. The Board finds that it would impose an arbitrary or unreasonable hardship if Travenol were denied extension of its variance.

Pending before the Board in R76-21 is a proposal to modify Rule 702(a). Several suggested amendments to the proposal are also before the Board. Adoption of a mercury standard of 0.003 mg/l could bring Travenol into compliance for all but discharge 2A. If Rule 702(a) is amended to reference the averaging rule, discharge 2A may also be in compliance [Rule 401(c)]. It is not clear at this time whether a variance will be necessary following any modifications pursuant to R76-21. Therefore, the Board will not provide for automatic termination of this variance. Travenol may petition for modification within one year pursuant to Procedural Rule 334.

As has been noted in previous Board Opinions, Travenol now has an effective program for elimination and containment of mercury in its laboratories. Its present discharge apparently results for the most part from a gradual leaching of mercury which was plated onto its plumbing in the past. As a condition of this variance Travenol will be required to continue its program.

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

ORDER

Petitioner Travenol Laboratories, Inc. is granted a variance from Rule 702(a) of Chapter 3: Water Pollution, subject to the following conditions:

1. This variance will expire March 5, 1986.
2. Petitioner shall meet the following effluent limitations for discharges 1A, 2A, 3A and 4A:

	mg/l Mercury		
	Annual Average	Flow-weighted Daily Composite	Grab Sample
1A	0.001	0.002	0.005
2A	0.003	0.006	0.015
3A	0.001	0.002	0.005
4A	0.001	0.002	0.005

3. Petitioner shall also meet the following mass discharge limitation for mercury from discharge 2A:

	<u>Annual Average</u>	<u>Daily Maximum</u>
2A	1.0 g/day	2.0 g/day

4. Petitioner shall monitor discharges from 1A, 3A and 4A once per month.

5. Petitioner shall monitor the discharge from 2A on two days each month.

6. Each month Petitioner shall forward to the Illinois Environmental Protection Agency and the Metropolitan Sanitary District of Greater Chicago the results of analysis of all samples taken during the previous month. In January of each year Petitioner shall forward a summary of the previous year's results including annual averages of all grab samples taken.

7. Petitioner shall continue employee training programs for the proper handling and disposal of mercury and mercury-containing compounds.

8. Petitioner shall keep abreast of released research and development in the area of mercury control and evaluate their suitability for its Morton Grove facility.

9. Petitioner shall enforce standard operating procedures designed to prevent spillage and/or disposal of mercury and mercury-containing compounds into the sanitary system, including the use of Baker Kits or equivalent to clean future mercury spills and the use of dry ice-acetone to freeze the mercury metal as an aid to clean-up.

10. Within forty-five days of the date of this Order, Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Variance Section, 2200 Churchill Road, Springfield, Illinois 62706, a Certificate of Acceptance and Agreement to be bound to all terms and conditions of this variance. This forty-five day period shall be held in abeyance for any period this matter is being appealed. The form of the Certificate shall be as follows:

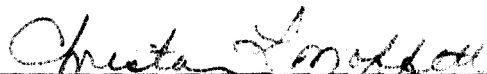
CERTIFICATION

I, (We), _____, having read and fully understanding the Order in PCB 80-207, hereby accept that Order and agree to be bound by all of its terms and conditions.

SIGNED _____
TITLE _____
DATE _____

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 5th day of March, 1981 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board