

ILLINOIS POLLUTION CONTROL BOARD  
February 1, 1979

MOBIL OIL CORPORATION, )  
)  
Petitioner, )  
)  
v. ) PCB 78-277  
)  
ENVIRONMENTAL PROTECTION AGENCY, )  
)  
Respondent. )

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

Petitioner Mobil Oil Corporation (Mobil) seeks an extension and expansion of a variance granted by the Board in PCB 77-277 on June 22, 1978 which was, by its terms, terminated by promulgation by the Board of an amendment to the cyanide regulations in R74-15,-16, on September 7, 1978.

Specifically, Mobil requests an extension of variance from Rule 408(a), Part 4, and Rule 1002, Part 10 of Chapter 3, Water Pollution Regulations, with respect to the cyanide portion of its wastewater discharge at its petroleum refinery located in Will County, Illinois. Technical data with respect to this facility has been well documented in previous variances and will not be repeated here. Mobil alleges continuing inability to meet the Board's cyanide effluent discharge limitations including the limitations recently established in R74-15,-16. In addition, Mobil alleges good faith efforts to achieve compliance with the rules citing its work on research projects and operational procedures.

Current results indicate compliance with the daily maximum limitation 91% of the time and compliance with the monthly limit 67% of the time, mainly due to some short-term excursions which remain unexplained. Tests made for cyanide at the edge of the mixing zone in the Des Plaines River as well as about 1/4 mile upstream from the discharge since August of 1974 allegedly demonstrate the cyanide concentration in Mobil's effluent has no measurable impact on stream quality. Mobil requests that the allowable effluent cyanide concentrations be limited to 0.20 mg/l on a monthly average, and that the daily maximum be increased to 1.5 mg/l. These limitations are based on the temporary excursions noted during 1978. Mobil alleges an arbitrary and unreasonable hardship should it be forced to comply with the current 0.10 mg/l and 0.20 mg/l effluent limitations since adequate technology is not available. Mobil requests that the proposed variance expire on July 1, 1980, coinciding with the research type ammonia variance granted by the Board on June 8, 1978, under PCB 78-97.

In its Recommendation, the Illinois Environmental Protection Agency (Agency) recommends that Mobil's request for variance be granted until July 1, 1980 subject to certain conditions. Mobil, in turn, has agreed

to the conditions suggested by the Agency with the exception of the number of excursions per month to be allowed to the proposed 1.5 mg/l daily maximum limitation. While Mobil argues for a limitation of three such excursions per month based upon its recent history, the Agency argues persuasively that additional control measures outlined by the Agency should minimize the duration of excursions. The Agency points out that Mobil has facilities to hold and recirculate its effluent and that procedures and equipment can be installed and utilized which would result in much faster recognition of the existence of an excursion and subsequent control thereof prior to discharge.

The Board finds that denial of a variance would impose an arbitrary and unreasonable hardship on Mobil. The Board agrees with the Agency's evaluation and will therefore limit excursions above the current 0.37 mg/l daily maximum as established in prior variances to one per month subject to an absolute limitation of 1.5 mg/l.

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) Mobil Oil Corporation be granted variance from Chapter 3, Rules 408(a) and 1002 of the Board's Rules and Regulations as they relate to cyanide for Mobil's petroleum refinery in Will County, Illinois until July 1, 1980 subject to the following conditions:
  - a) Mobil's effluent cyanide concentration shall be limited to a monthly average of 0.2 mg/l and a daily maximum of 0.37 mg/l, except: one excursion per month above the 0.37 mg/l daily maximum shall be allowed up to an absolute limit of 1.5 mg/l.
  - b) Mobil shall within 30 days of the date of this Order, submit to the Agency an acceptable program, including a time schedule, that incorporates additional control measures into Mobil's existing treatment scheme as outlined in paragraph 12 of the Agency's recommendation, filed December 13, 1978, and shall utilize such control measures to the best of its ability to eliminate future cyanide excursions.
  - c) Mobil shall continue to submit progress reports to the Agency as required by previous variances for this facility.
  - d) Within 45 days of the adoption of this Order, the Mobil Oil Corporation 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:

I, (We), \_\_\_\_\_, having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 77-277, hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

- 2) The Agency shall modify Mobil's NPDES permit so as to be consistent with the terms of this variance.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 15<sup>th</sup> day of February, 1978 by a vote of 4-0.

Christan L. Moffett  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board