

ILLINOIS POLLUTION CONTROL BOARD
January 22, 1976

CITIZENS FOR A BETTER ENVIRONMENT,)
an Illinois not-for-profit corporation,)
Complainant,)
v.) PCB 74-202
UNITED STATES STEEL CORPORATION,)
Respondent.)

and

UNITED STATES STEEL CORPORATION,)
Petitioner,)
v.) PCB 73-62
ENVIRONMENTAL PROTECTION AGENCY,)
Respondent.)

CONCURRING OPINION (by Mr. Dumelle):

By agreeing to the Settlement Stipulation today the Board brings into force the Consent Agreement entered in the Federal Court. This in turn makes mandatory a closed cycle treatment system by July 1, 1977. This is an objective which is highly desirable because it keeps metals, solids, cyanide and oil completely from Lake Michigan which is itself a prime drinking water supply for millions of people.

The record is not clear as to what is being discharged now to Lake Michigan. No water quality data are given. And the NPDES permit gives not concentrations but total daily maximum weight loadings which are permitted to be discharged.

Using the flow data given on pp. 26-27 of the NPDES Permit the following effluent concentrations were computed.

U.S. STEEL EFFLUENT CONCENTRATIONS (mg/l)

	<u>Daily Average</u>	<u>Daily Maximum</u>	<u>Effluent Standard</u>
<u>Outfall 002</u> (stainless department rinse, cooling, stormwater)			
Flow = 382 gpm = 1445.87 l/min.			
Oil and grease	13.98 mg/l	41.88 mg/l	15.0 mg/l
Suspended solids	56.29	149.13	15.0
Total iron	27.28	54.51	2.0
Cyanide	0.817	2.402	0.025
<u>Outfall 003</u> (process rinse, cooling, stormwater)			
Flow = 1080 gpm = 4087.8 l/min.			
Suspended solids	50.14	124.20	15.0
Total iron	30.24	61.16	2.0
Total copper	0.90	2.55	1.0
Total zinc	16.74	52.14	1.0
Total lead	2.70	7.95	0.1
Oil and grease	16.75	39.93	15.0
<u>Outfall 004</u> (cooling, stormwater)			
flow = 68 gpm = 257.38 l/min.			
Oil and grease	34.26	51.53	15.0
Suspended solids	71.23	214.49	15.0
Total iron	26.98	51.53	2.0
Total copper	1.35	4.59	1.0
Total zinc	2.16	6.21	1.0
Total lead	4.59	14.30	0.1
<u>Outfall 006</u> (cleaning house rinse, cooling, stormwater)			
flow = 792 gpm = 2997.72 l/min.			
Oil and grease	20.20	100.02	15.0
Suspended solids	59.64	178.94	15.0
Total iron	48.29	100.01	2.0
Total zinc	1.39	4.10	1.0
<u>Outfall 008</u> (pump house cooling water, boiler blowdown)			
flow = 265 gpm = 1003.025 l/min.			
Suspended solids	68.19	207.14	15.0
Total iron	1.32	3.95	2.0
Cyanide	0.035	0.10	0.025
<u>Outfall 009</u> (rod patenting process, cooling and storm water)			
flow = 342 gpm = 1294.47 l/min.			
Suspended solids	60.89	182.95	15.0
Total iron	6.12	18.78	2.0
Total lead	4.08	12.45	0.1
Phosphorus	1.39	4.24	1.0

Outfalls not included in calculations

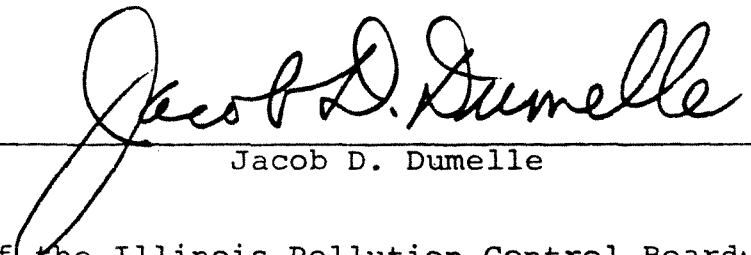
- 001 - stainless department, cooling, stormwater
- 005 - cooling, stormwater
- 007 - cleaning house rinse, cooling, stormwater

As can be seen, some effluents are as much as 45 times the Illinois effluent standard which was to have been met by December 31, 1973 (see Outfall No. 004 values for lead).

Thus it might appear that Board consent to this proceeding is in effect a grant of a variance from the Illinois effluent standards. If it were so, then the Board should have had before it the reasons for U.S. Steel's long delay in not achieving those effluent limits by December 31, 1973. Delay in constructing a facility usually saves money. Operating and depreciation costs are not incurred until the facility is finally built.

I do not feel that the decision here is in effect a Board variance. The Board is dismissing these two cases by accepting the Stipulation. Nothing then remains before the Board. Enforcement of the Board's effluent standards could still be made by any citizen if proof of violation could be made. Since the Board Opinion specifically rejects the Attorney General's positions when not the attorney for the Board no protection from further enforcement (i.e. a variance equivalent) is here granted.

Since the effluent data given above are based upon the NPDES Permit and are not actual data, I cannot say that U.S. Steel is in fact discharging at these levels. Therefore, in order not to delay the ultimate goal of no discharge to Lake Michigan, with which I agree, I vote for the dismissal and thus to energize the Federal Consent Order.



Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board hereby certify the above Concurring Opinion was submitted on the 28th day of January, 1976.



Christan L. Moffett, Clerk
Illinois Pollution Control Board