

ILLINOIS POLLUTION CONTROL BOARD
January 17, 1974

ILLINOIS POWER COMPANY,)
)
 Petitioner,)
)
 vs.)
)
 ILLINOIS ENVIRONMENTAL PROTECTION) PCB 73-482
 AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Seaman):

On November 14, 1973, Petitioner, Illinois Power Company, filed its Petition for Variance. Petitioner owns and operates a coal-fired electric power generating station near Hennepin, Putnam County, Illinois.

Although Petitioner fails to specify, the Agency has assumed that the variance sought is from Rule 408 (suspended and total dissolved solids) of Chapter 3 of the Water Pollution Regulations.

The Agency, in its Recommendation, states that wastewater from Petitioner's generating station is presently discharged directly into the Illinois River via two separate waste streams. One waste stream is made up of untreated wastewater from Petitioner's demineralizer regenerant, ash hopper overflows from Unit 1 and 2 Boilers, and non-contact condenser cooling water. The second waste stream is composed of wastewater from Petitioner's Unit 1 and 2 ash basin lagoons. Petitioner submits no information on this point.

The Agency Recommendation informs us that Petitioner's Ash Basin Lagoons rarely discharge an effluent due to evaporation and due to percolation attributable to the permeable sandy soil of the locale and that Petitioner's untreated wastewater discharge does not have a noticeable adverse environmental impact upon the Illinois River. Test results of recent Agency effluent grab samples indicate the following:

<u>Date</u>	<u>Suspended Solids (mg/l)</u>	<u>Total Dissolved Solids (mg/l)</u>
Jan 1/73	8	360
Sep 25/73	85	480

Petitioner obtained Agency approval of Project Completion Schedules and an Agency Construction Permit for the re-routing and collecting of the Unit 1 & 2 ash hopper overflows and demineralized regenerant wastewater into the Unit 1 & 2 ash basin lagoons for treatment prior to release into the River. The Agency believes that the completion of these projects will assure compliance with Rule 408.

The permits and associated Project Completion Schedules show the anticipated completion date to be December 31, 1973. Petitioner alleges that the mechanical work associated with its project cannot be completed before March 31, 1974, and variance is sought to that date.

The primary reason advanced by Petitioner to justify the grant of the subject variance is the alleged delay encountered in procuring materials and equipment. Petitioner contents itself with this bare allegation and proffers no supportive information. Such an unsupported allegation cannot justify a variance.

The entire Petition is so insufficient in substance and detail that this Board cannot find sufficient evidence upon which to found a reasoned decision. Petitioner is advised to familiarize itself with the requirements of Rule 401 of the Procedural Rules of the Pollution Control Board. Petitioner is hereby directed to file an amended petition within 15 days of the date of this Order or suffer its cause to be dismissed.

Said amended petition should include, without limitation, the following:

1. Waiver, for an additional 30 days, of the 90-day requirement of Section 38 of the Illinois Environmental Protection Act.
2. An identification of the particular rules and regulations from which variance is sought; relevant evidence should also be included bearing on Petitioner's claim of unavoidable delay, not self-imposed.

IT IS SO ORDERED.

I, Christian L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 17th day of January, 1974 by a vote of 5-0.

Christian L. Moffett