

ILLINOIS POLLUTION CONTROL BOARD
January 30, 1973

CITY OF TUSCOLA)
)
) #72-303
 v.)
)
 ENVIRONMENTAL PROTECTION AGENCY)

THOMAS A. CENGEL, ASST. ATTORNEY GENERAL, APPEARED ON BEHALF
OF ENVIRONMENTAL PROTECTION AGENCY
ARMIN C. BAER APPEARED ON BEHALF OF CITY OF TUSCOLA

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Petition for variance was filed by the City of Tuscola requesting an extension until June of 1974 to comply with Rule 405 of Chapter 3 (Water Regulations) providing that no effluent shall exceed 400 fecal coliforms per 100 mg/l after July 31, 1972. The petition recites that the City operates two sewage treatment plants referred to as the North and South Plants, respectively. The North Plant provides secondary treatment through utilization of an Imhoff Tank, Trickling Filter and final clarifier. Sludge is placed on drying beds and then hauled to a landfill. It is contemplated that the North Plant will be abandoned and all flow presently treated at this plant will be pumped to the South Plant, which is to be expanded.

The South Plant provides secondary treatment through utilization of a primary settling tank, two aeration tanks and two final clarifiers. Sludge retained in an aerated holding tank is processed by vacuum filtration and then hauled to a landfill. It is proposed that the South Plant be expanded by the inclusion of an additional aeration tank, two additional final settling tanks and an additional sludge holding tank, to bring the plant's capacity up to the level required when the North Plant is abandoned and to allow for future community growth. Multi-media filtration will be added to provide tertiary treatment of the plant's dry weather flows. Provisions for primary treatment of wet weather bypass flows and a first flush retention basin are included. Chlorination of all dry and wet weather effluents will be provided at all times. The bond referendum, engineering bid letting and construction schedule indicate completion of the South Plant by June of 1974, which would bring the City's operation into compliance with all relevant regulations. Temporary chlorination facilities would cost approximately \$40,000, which would be suspended upon completion of the new facility. Under the proposed expansion of the South Plant, the chlorination facilities would become an integral part of the control building expansion.

Effluent from the plants presently flow into the Scattering Forks and Hayes Branch Drainage Ditches from which no municipality obtains its water supply. The Scattering Forks Drainage Ditch is tributary to the Embarrass River from which the City of Charleston, 30 miles downstream, draws its water supply. The petition seeks to excuse the City from compliance with the disinfection time limits provided in Section 405 (Water Pollution) of Chapter 3 pending completion of the South Plant expansion. The Agency's recommendation notes high fecal coliform counts at the points of discharge from both the North and South Plants, which diminish substantially 600 yards downstream from both plants, respectively. Total estimated cost of the improvement project would be \$1,551,000, of which \$70,000 would be expended for permanent chlorination facilities. The Agency confirms the anticipated cost figures for installation of temporary chlorination facilities. The absence of an interim water quality management plan for the Wabash River Basin precludes the City's eligibility at the present time for Federal or State construction grants.

The Agency recommends that the variance be granted. On balance, we feel that the hardship on the City in being required to install interim chlorination facilities is disproportionate with the burden on the community created by suspending the disinfection facilities until the completion of the South Plant expansion. We will grant the variance for a period of one year and require the City to make quarterly reports on the status of its construction program. Any additional variance will require the filing of a new petition 90 days prior to the expiration of the present variance granted by our order herein.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board:

1. The City of Tuscola be granted a variance from the provisions of Rule 405 of Chapter 3, Water Pollution, until January 30, 1974, pending expansion of its South Plant, subject to completion by June 30, 1974. Quarterly reports on the progress of its expansion program shall be made to the Agency, the first of which shall be submitted no later than May 1, 1973.

2. Bond in the amount of \$70,000 guaranteeing construction of the chlorination facilities by June 30, 1974 shall be posted in form satisfactory to the Agency, which bond shall also provide for forfeiture of \$10,000 in the event the City of Tuscola is not in compliance with Rule 405 by June 30, 1974. This variance may be extended beyond January 30, 1974 upon the filing of a petition and adequate demonstration that the City is pursuing its improvement program as provided herein. Bond shall be filed with Fiscal Services Division, Environmental Protection Agency, 2200 Churchill Drive, Springfield, Illinois 62706. within 30 days from the date hereof.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 30th day of January, 1973, by a vote of 3 to 6.

Christan L. Moffett

