

ILLINOIS POLLUTION CONTROL BOARD
January 8, 1976

ABBOTT LABORATORIES,)
)
 Petitioner,)
)
 v.) PCB 75-424
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

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

Abbott Laboratories filed a petition for extension of variance granted in PCB 74-338 on October 31, 1975, seeking relief therein for its North Chicago treatment plant from the standard set in Rule 404(d) of Chapter 3, Water Pollution Control Regulations. Petitioner is a manufacturer of pharmaceutical and health care products and maintains a plant for the treatment of process wastewater, seventy-five percent of which is recycled and recovered, whereas twenty-five percent is treated for discharge into Lake Michigan at a rate of 700,000 gallons per day. Petitioner is presently operating the activated sludge treatment plant with a one year variance granted by the Board on December 19, 1974.

In 1972, in order to bring its effluent into compliance with Rule 404(d) by December 31, 1974, Petitioner obtained Agency approval for a plan that consisted of diverting its treated effluent to the proposed Gurnee plant of the North Shore Sanitary District (NSSD). Due to delays in the construction of the NSSD plant for reasons completely beyond the control and without fault of Petitioner, Petitioner was not able to divert its discharge to the NSSD by December 1974, and therefore applied for and was granted the previously mentioned variance. Although the Gurnee NSSD plant was scheduled to begin operation in December 1974, it now appears it will not be operational until sometime in early 1976.

We are disposed to grant relief. Agency evaluation of Petitioner's operating data indicates that since May of 1975, Petitioner has consistently maintained BOD and suspended solids concentrations consistent with prior Board Order. Petitioner has long since completed all the connecting sewers and they are ready for use. All that remains is for the NSSD to put the Gurnee plant into operation.

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

ORDER

IT IS THE ORDER of the Pollution Control Board that:

Abbott Laboratories is granted variance from Rule 404(d), Chapter 3, Water Pollution Regulations, for the waste treatment plant in North Chicago, Illinois, for a period of one year commencing December 19, 1975 or until diversion of the treatment plant waste to the North Shore Sanitary District Gurnee plant, whichever occurs first, subject to the following conditions:

1. That BOD and suspended solids concentrations be limited to a monthly average of 20 and 25 mg/l respectively determined on the basis of 24-hour composite samples averaged over any consecutive 30-day period. In addition, no more than 5% of the samples collected shall exceed 2.5 times the limitations herein established for BOD and suspended solids;

2. That Petitioner shall divert its treatment flow to the Gurnee sewage treatment plant at the earliest practicable date, but in no event later than 30 days from the date the North Shore Sanitary District gives Abbott notice to divert, or 90 days after secondary treatment facilities are completed, whichever is sooner;

3. That Petitioner file monthly operating reports with the Agency indicating daily laboratory results on the parameters in question;

4. Within 30 days of the date of the adoption of this Order, Petitioner shall complete and submit to the Environmental Protection Agency, at the following address, the following certification:

Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
Springfield, Illinois 62706

I, (We), _____ having read the Order of the Illinois Pollution Control Board in PCB 75-424, understand and accept said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

SIGNED

TITLE

DATE

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 8th day of January, 1976 by a vote of 4-0.

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