

ILLINOIS POLLUTION CONTROL BOARD
October 20, 1988

A.E. STALEY MANUFACTURING DIVISION)
OF STALEY CONTINENTAL, INC., and)
CITY OF DECATUR,)
)
Petitioners,)
)
v.) PCB 88-167
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon receipt of an October 19, 1988 Agency recommendation for provisional variance. The Agency recommendation contained the following data.

On October 13, 1988 the Agency received a joint request for provisional variance extension from the City of Decatur and A.E. Staley Manufacturing to allow discharge of uncontaminated cooling waters into Lake Decatur. Water in Lake Decatur is treated at two separate plants. The north plant has a capacity of 12 MGD and the south plant has a capacity of 36 MGD. The City's daily pumpage is between 30 and 33 MGD. The waste stream which is the subject of this variance petition consists of approximately 1.5 million gallons of uncontaminated cooling waters, currently being discharged to the sanitary district of Decatur. Current NPDES permit effluent limits of 10 mg/l BOD are imposed for discharges directly to Lake Decatur.

Petitioners seek allowance to return up to 1.2 MGD of uncontaminated cooling water to lake decatur. This, in addition to the non-contact cooling water and stormwater runoff which they are currently allowed to discharge into the lake pursuant to the above-referenced NPDES permit.

Upon review of the request for provisional variance, the Agency concluded that denial would impose an arbitrary and unreasonable hardship on the City of Decatur; and that federal laws do not prohibit granting the request.

The Board hereby grants extension of PCB 88-146 provisional variance from 35 Ill. Adm. Code 304.141 subject to the following conditions:

1. This variance shall commence October 24, 1988 at the end of PCB 88-146 variance and continue for 45 days.
2. During the period of this variance, the effluent discharged from A.E. Staley Manufacturing be limited to 25 mg/l monthly average and 50 mg/l monthly maximum BOD, other effluent limits shall remain the same as their NPDES Permit (IL0002381).
3. During the period of this variance, Staley may return up to 1.2 MGD of "uncontaminated cooling water" to Lake Decatur in addition to the non-contact cooling water and stormwater runoff which they are currently allowed to discharge to the Lake per their NPDES Permit.
4. During the period of this variance, Staley shall continue to conduct total organic carbon (TOC) analysis at the current frequency levels (i.e. every four hours) on the "uncontaminated" cooling water discharge. If the TOC analysis from this discharge are above 25 ppm then Staley shall divert the discharge to Decatur Sanitary District's treatment works until any potential problem has been addressed and TOC levels are below 25 ppm. TOC results as well as available BOD results shall also be submitted to the Agency on a weekly basis.
5. Within 10 days of the date of the Board's Order, Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to Mark T. Books at the following address.

Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

ATTN: Mark T. Books

This variance shall be void if Petitioner fails to execute and forward the certificate within the ten day period. The ten day period shall be held in abeyance during any period that this matter is being appealed. The form of said Certification shall be as follows:

CERTIFICATION

I, (We), A.E. Staley manufacturing Division of Staley Continental, Inc., and City of Decatur, having read the Order of the Illinois Pollution Control Board, in PCB 88-167, dated October 20, 1988, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

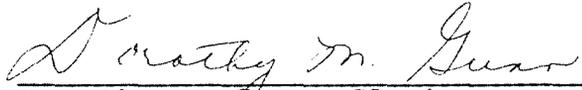
By: Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 20th day of October, 1988 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board