

ILLINOIS POLLUTION CONTROL BOARD
April 21, 1988

CITY OF CENTRALIA,)
)
 Petitioner,)
)
 v.) PCB 88-73
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

This matter comes before the Board upon the April 20, 1988, petition for provisional variance filed by Petitioner, the City of Centralia, and Agency Recommendation filed by Respondent, Illinois Environmental Protection Agency (Agency). The petition for Provisional Variance seek provisional variance from NPDES effluent limitations for BOD, TSS and Fecal Coliform while construction work is performed. Petitioner is presently required by a NPDES permit to meet monthly average effluent limitations of 10 mg/l BOD and 12 mg/tss for effluent. The daily maximum for fecal coliform may not exceed 400/100 ml.

Respondent, IEPA, has found that compliance with the NPDES permit effluent limitation would impose an arbitrary or unreasonable hardship on Petitioner and recommends that Petitioner be granted the requested provisional variance subject to the conditions set forth below.

The Board hereby grants Petitioner the requested variance subject to the conditions set forth below:

1. This variance shall commence on May 2, 1988 and continue for 45 days or until the filters are placed back in service, whichever occurs first.
2. During the variance period, Petitioner shall collect samples and analyze them for BOD and TSS at the frequency required in the NPDES permit. These results along with the daily flow shall be recorded and submitted to Specialist Barb Conner of the Agency's Compliance Assurance Section within 10 days of the end of the variance period at the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

3. Petitioner shall notify Barb Conner via telephone at 217/782-9720 when the filters are removed from service and when they are returned to service. Each telephone notification shall be confirmed within 5 days with a written notice sent to Barb Conner at the address given above.
4. During the variance period, Petitioner shall meet effluent limits of 25 mg/l for BOD and TSS as monthly averages and have no fecal coliform limit.
5. Petitioner shall return the filters and chlorination equipment to service as quickly as possible and shall provide the best treatment practicable during the variance period.
6. Within 10 days of the date of the Board's Order, Petitioner shall execute a Certificate of Acceptance and Agreement to be bound by the terms and conditions of this variance which shall be sent to Mark T. Books at the address indicated above.

This variance shall be void if Peitioner 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), City of Centralia, having read the Order of the Illinois Pollution Control Board, in PCB 88-73, dated April 21, 1988, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

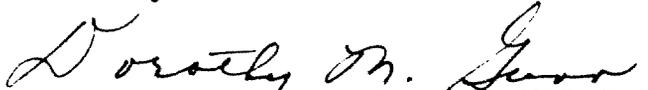
Title

Date

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1985 ch. 111 1/2 par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 21st day of April, 1988 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board