

ILLINOIS POLLUTION CONTROL BOARD  
February 2, 1989

CITY OF HERRIN, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 89-22  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )

ORDER OF THE BOARD (by J. Marlin):

This matter is before the Board upon receipt of an Agency recommendation dated January 31, 1989. The recommendation refers to a request from petitioner, the City of Herrin for a 45-day provisional variance from the water effluent standards set forth at 35 Ill. Adm. Code 304.120 and 304.141(a). Petitioner requests the variance to allow time to perform needed repair work on its primary tank. The Agency states that it believes that petitioner has correctly identified the necessary work, and that denial of the requested provisional variance would impose an arbitrary or unreasonable hardship on petitioner.

The Board concurs with the Agency recommendation. Petitioner is granted a provisional variance subject to the following conditions:

1. Variance shall commence upon the date the Primary Tank is removed from service and continue for 45 days or until the tank is returned to service, whichever occurs first.
2. During the period of this variance, the effluent discharged shall be limited to 50 mg/l BOD and 60 mg/l suspended solids.
3. Petitioner shall notify Byron Marks of the Agency's Marion Regional Office via telephone at 618/997-4371 when dewatering of the primary tank is begun, and when the unit is returned to service. Written confirmation of each notification shall be submitted within 5 days to:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
2200 Churchill Road  
P. O. Box 19276  
Springfield, Illinois 62794-9276  
Attention: Barbara Conner

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
2209 West Main Street  
Marion, Illinois 62959  
Attention: Byron Marks

4. Petitioner shall return the Primary Tank to service as quickly as possible, and shall provide the best treatment practicable during the variance.
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 Springfield address indicated above.

CERTIFICATION

I, (We), City of Herrin, having read the Order of the Illinois Pollution Control Board, in PCB 89-22, dated February 2, 1989, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
By: Authorized Agency

\_\_\_\_\_  
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 2<sup>nd</sup> day of February, 1989, by a vote of 7-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board