

ILLINOIS POLLUTION CONTROL BOARD
December 15, 1988

IN THE MATTER OF:)
)
PROPOSED AMENDMENT TO) R87-6
PHOSPHORUS EFFLUENT STANDARD,)
35 ILL. ADM. CODE 304.123)

PROPOSED RULE. SECOND NOTICE.

DISSENTING OPINION (by B. Forcade):

I must respectfully dissent from today's action. I believe that the proposed rule will allow facilities to turn off perfectly functional pollution control equipment. I cannot support that outcome.

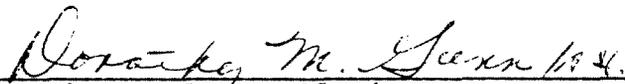
To achieve compliance with prior Board regulations, many dischargers have installed and are presently operating equipment for phosphorus removal. In many cases that pollution control equipment was constructed with tax dollars, either from local government or from USEPA funding. As a result of today's action that equipment need not be operated in the future. Consequently, this proposed rule will allow those facilities to simply turn off fully functional pollution control equipment. As a result, their effluent will contain more pollutants tomorrow than it did yesterday. I consider such action to be back-sliding that is inappropriate. It violates the spirit if not the letter of the Clean Water Act Amendments of 1987.

I would have required any facility that had completed (or nearly completed) construction of phosphorus removal equipment to continue utilizing such equipment at full operational levels throughout the remainder of its useful life.



Bill S. Forcade, Board Member

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was submitted on the 28 day of December, 1988.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board