

ILLINOIS POLLUTION CONTROL BOARD
April 7, 1988

IN THE MATTER OF:)
)
PROPOSED SITE SPECIFIC RULE)
CHANGE FOR REILLY TAR AND) R88-9
CHEMICAL CORPORATION, GRANITE)
CITY FACILITY: 35 ILL. ADM.)
CODE 307.1102)

PROPOSED RULE FIRST NOTICE

ORDER OF THE BOARD (By Michael Nardulli):

This matter comes before the Board on a Petition for Site Specific Rule Change filed on behalf of the Reilly Tar and Chemical Corporation's Granite City Facility. The petition was filed with the Board on March 8, 1988. Presently, the concentration of mercury in the wastewater discharge from the Reilly Tar and Sand Chemical Corporation's Granite City facility is governed by the effluent standards for mercury in 35 Ill. Adm. Code Section 307.1102. Section 307.1102(a) limits the concentration of mercury in any discharge to a publicly owned, or publicly regulated, sewer system to 0.0005 milligrams per liter, subject to the averaging rule contained in 35 Ill. Adm. Code 304.104(a). The existing exceptions to the standard established by Section 307.1102(a) are laid out in the subsequent paragraphs of Section 307.1102. The Petitioner petitions the Board to further amend 35 Ill. Adm. Code Section 307.1102 to add the paragraph set forth below.

On January 21, 1988, the Board adopted Resolution 88-1, which outlined various procedures which the Board would begin to utilize in order to expedite the rulemaking process. One of these procedures is for the Board to send a regulatory proposal to First Notice before ruling on the merits of the proposal. The Board finds that it is appropriate to utilize that procedure in this proceeding.

As a result, the Board hereby adopts the proposal set forth below for First Notice and directs the Hearing Officer to cause the publication of the proposal in the Illinois Register. This action is in no way to be construed as the Board's substantive position with regard to this matter.

Consistent with Res88-1, the Board directs the Hearing Officer to schedule only one merit hearing in this matter. No other hearings will be scheduled unless the Board finds that the issues of this proceeding warrant further investigation. In addition, the Hearing Officer is to establish deadlines for the pre-filing of testimony and exhibits for anyone who wishes to introduce evidence at the merit hearings. Those who do not

prefile such materials will be able to present their evidence only if time permits at the end of the hearing process.

The Board believes that such procedures will accelerate the rulemaking process and at the same time provide continued opportunity for public participation.

ORDER

The Board directs the Clerk of the Board to submit the following proposed amendments to the Secretary of States Office for First Notice publication.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 307
SEWER DISCHARGE CRITERIA

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section

- 307.1101 General and Specific Requirements
- 307.1102 Mercury
- 307.1103 Cyanide

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section 307.1102 Mercury

- a) Except as provided below, no person shall cause or allow the concentration of mercury in any discharge to a publicly owned or publicly regulated sewer system to exceed the following level, subject to the averaging rule contained in 35 Ill. Adm. Code 304.104(a):

CONSTITUENT	STORET NUMBER	CONCENTRATION mg/l
Mercury	71900	0.0005

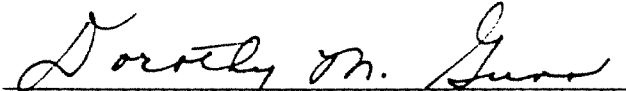
- b) It shall be an exception to subsection (a) if the discharge is to a publicly owned or publicly regulated sewer system which is required to meet a limitation less stringent than the 0.0005 mg/l mercury concentration in which case the discharge limitation shall be the same as that applicable to the publicly owned or regulated sewer system to which it discharges.
- c) It shall be an exception to subsection (a) if all the following conditions are met:

- 1) The discharger does not use mercury; or, the discharger uses mercury and this use cannot be eliminated; or, the discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of wastewater; and,
 - 2) The discharge mercury concentration is less than 0.003 mg/l, as determined by application of the averaging rules of 35 Ill. Adm. Code 304.104(a); and,
 - 3) The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness and sound engineering judgment. This may include no treatment for mercury; and,
 - 4) The discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury discharges.
- d) The discharge of wastes from medicinal or therapeutic use of mercury, exclusive of laboratory use, shall be exempt from the limitations of subsection (a) if all the following conditions are met:
- 1) The total plant discharge is less than 227 g (one half pound) as Hg in any year;
 - 2) This discharge is to a public sewer system; and
 - 3) The discharge does not, alone or in conjunction with other sources, cause the effluent from the sewer system or treatment plant to exceed 0.0005 mg/l of mercury.
- e) No person shall cause or allow any discharge of mercury to a publicly owned or publicly regulated sewer system which, alone or in combination with other sources, causes a violation by the sewer treatment plant discharge of the water quality standard of 35 Ill. Adm. Code 302 for mercury applicable in the receiving stream.
- f) For purposes of permit issuance the Agency may consider application of the exception of subsection (b) or (c) to determine compliance with this Section. The Agency may impose permit conditions necessary or required to assure continued application of the exception. When subsection (b) or (c) applies, the Agency may impose an effluent limitation in the permit which allows the discharge of a concentration of mercury greater than 0.0005 mg/l but not more than 0.003 mg/l.

g) The mercury standards of Section 307.1102 shall not apply to any coal tar refinery located in Granite City which discharges to any publicly-owned treatment works which receives such a manufacturing facilities wastewater. The amount of mercury discharged by any such manufacturing facility shall not exceed a monthly average of 0.025 mg/l nor a maximum of 0.035 mg/l during any one day. Any publicly-owned treatment works which directly or indirectly, receives such a manufacturing facilities wastewater shall be entitled to discharge mercury in excess of the levels provided in Section 304.126 to the extent that said discharge exceeds those levels because of such a manufacturing facilities discharge.

IT SO ORDERED.

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


Dorothy M. Gunn, Clerk,
Illinois Pollution Control Board