

ILLINOIS POLLUTION CONTROL BOARD  
February 4, 1988

CITY OF HERRIN, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 88-31  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

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

Petitioner seeks a 45-day provisional variance from the limitations set forth at 35 Ill. Adm. Code 304.120 and 304.141(a) during repairs and plant upgrading. The Illinois Environmental Protection Agency (Agency) has recommended that Petitioner be granted the requested provisional variance because Petitioner has no feasible alternative to bypassing the primary tanks.

Pursuant to Section 35 of the Illinois Environmental Protection Act, the Board hereby grants the requested provisional variance subject to certain conditions.

This opinion constitutes the Board's finding of fact and conclusions of law in this matter.

ORDER

The City of Herrin is hereby granted a provisional variance from 35 Ill. Adm. Code 304.120 and 304.141(a) subject to the following conditions:

1. Variance shall commence upon the date the primary tanks are removed from service and continue for 45 days or until the tanks are returned to service, whichever occurs first.
2. During the period of this variance, the effluent discharged shall be limited to 46 mg/l BOD and 66 mg/l suspended solids.
3. Petitioner shall notify Mr. Gary Whiteside of the Compliance Assurance Section [217-782-9720] when dewatering of the primary tanks has begun, and when the units are returned to service. Written notification confirming telephone notice shall be submitted within 5 days thereof and shall be submitted to:

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

ATTN: Gary Whiteside

4. Petitioner shall return the primary tanks to service as quickly as possible, and shall provide the best treatment practicable during the variance period.
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 Jim Frost at address indicated above.

CERTIFICATION

I, (We), City of Herrin, having read the Order of the Illinois Pollution Control Board, in PCB 88-31, dated February 4, 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 4th day of February 1988 by a vote of 7-0.

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