

ILLINOIS POLLUTION CONTROL BOARD

June 21, 2001

THE PREMCOR REFINING GROUP, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 01-171
)	(Provisional Variance – Water, NPDES)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

On June 19, 2000, the Illinois Environmental Protection Agency (Agency) filed a request for a provisional variance and notification of recommendation. The Agency recommends that the Board grant a 45-day provisional variance to the Premcor Refining Group, Inc. (Premcor) for its wastewater treatment facility, located in Hartford, Madison County, Illinois. The requested variance is from the total suspended solids (TSS) and carbonaceous biochemical oxygen demand (CBOD), and ammonia effluent concentration limits in the Board's rules and contained in National Pollutant Discharge Elimination System (NPDES) Permit No. IL0001244, during upgrading of the facility by the installation of a diffused aeration system in the biological reactors.

In making its recommendation, the Agency states that failure to grant the requested provisional variance for 45 days will result in an arbitrary or unreasonable hardship on the petitioner.

The Board is required, in a provisional variance, to adopt a formal order, assure formal maintenance of the record, assure the enforceability of the variance, and provide notification of the action by press release. Pursuant to Section 35(b) of the Environmental Protection Act (415 ILCS 5/35(b) (2000)), the Board must issue the provisional variance within two days of the filing.

The Board grants the petitioner a provisional variance from 35 Ill. Adm. Code 304.120(b) and 304.141(a) for Outfall 001. During this provisional variance period, petitioner must still meet the monthly average effluent concentration limits of 40 mg/l for TSS and 30 mg/l for CBOD and 270 lbs/day for ammonia.

The provisional variance is granted, subject to the following conditions:

1. The variance shall begin on June 22, 2001, and continue for 45 days or until completion of the work, whichever occurs first.

2. During the variance period, petitioner shall meet the monthly average effluent concentration limits of 40 mg/l for TSS and 30 mg/l for CBOD and 270 lbs/day for ammonia.
3. Petitioner shall notify Barb Conner of the Agency's Springfield office by telephone 217/782-9720 when the installation begins and again when the installation is completed. Written confirmation of each notice shall be sent within five days to the following address:

Illinois Environmental Protection Agency
Bureau of Water – Compliance Assurance Section
Attention: Barb Conner
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

3. Petitioner shall continue to monitor and maintain compliance with all other parameters and conditions specified in its NPDES Permit No. IL0001244.
4. Petitioner shall sign a certificate of acceptance of this provisional variance and forward that certificate to Barb Conner at the address indicated above within ten days of the date of this order. The certification should take the following form:

CERTIFICATION

I (We), _____, hereby accept and agree to be bound by all terms and conditions of the order of the Pollution Control Board in PCB 01-171 dated June 21, 2001.

Petitioner

Authorized Agent

Title

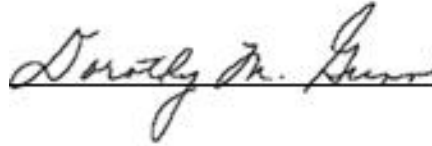
Date

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (2000)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this

order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.520, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 21st day of June 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board