

ILLINOIS POLLUTION CONTROL BOARD
January 8, 1987

ROCHELLE MUNICIPAL UTILITIES,)
)
 Petitioner,)
)
 v.) PCB 87-2
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

This matter comes before the Board upon a January 7, 1987 recommendation of the Illinois Environmental Protection Agency (Agency) that petitioner be granted a 45-day provisional variance from 35 Ill. Adm. Code 304.120 and 304.301 in order for petitioner to perform the necessary repairs to its intermediate clarifier, intermediate trickling filter and final trickling filter at its wastewater treatment facility in Rochelle, Cogle County, Illinois. The Agency has found that compliance with Section 304.120 and 304.301 on a short basis would impose an arbitrary or unreasonable hardship on petitioner and recommends that petitioner be granted provisional variance, subject to conditions. The Board agrees and hereby grants petitioner a 45-day provisional variance pursuant to Section 35(b) of the Environmental Protection Act, subject to the following conditions:

1. Provisional Variance shall commence on December 15, 1986 and terminate on January 29, 1987.
2. Petitioner shall sample and analyze its effluent and submit discharge monitoring reports as set forth in its NPDES permit IL0030741.
3. During the variance period, petitioner's effluent shall not exceed 30 mg/l BOD and 30 mg/l TSS as 30 day averages and 15 mg/l ammonia nitrogen as a daily maximum.
4. Petitioner shall return treatment units to service as soon as possible and shall operate the remaining treatment units so as to produce the best effluent possible.

- 5. Petitioner shall notify Dan Ray of the Illinois Environmental Protection Agency's Compliance Assurance Section in writing within 5 days of when the intermediate clarifier and the final trickling filter are returned to service and when the intermediate trickling filter is removed from and returned to service. These notifications shall be sent to:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Compliance Assurance Section
 2200 Churchill Road
 Springfield, IL 62706

ATTN: Dan Ray

- 6. Within 10 days of the date of the Board Order petitioner shall execute a certificate of Acceptance and Agreement which shall be sent to Mr. Jim Frost of the Agency at the address cited in Condition No. 5 above. The form of the certificate shall be as follows:

CERTIFICATION

Rochelle Municipal Utilities hereby accepts and agrees to be bound by all terms and conditions of the Order of the Illinois Pollution Control Board in PCB 87-2, dated January 8, 1987.

 Petitioner

 Authorized Agent

 Title

 Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 8th day of January, 1987 by a vote of 6-0.

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