

ILLINOIS POLLUTION CONTROL BOARD  
August 2, 1984

MODINE MANUFACTURING COMPANY, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 82-111  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board upon a motion for clarification and reconsideration timely filed on July 3, 1984 by Modine Manufacturing Company (Modine) concerning the Board's Opinion and Order dated May 29, 1984. The Illinois Environmental Protection Agency (Agency) filed its response on July 12, 1984. On July 20, 1984 Modine filed a motion for leave to file its reply instanter. Modine's reply is allowed by the Board pursuant to 35 Ill. Adm. Code 103.140(c).

Modine requests the Board to clarify its prior Opinion and Order in the following manner: (1) note that the interim effluent and water quality standards values are monthly averages; (2) define summer as including the months of May through September and winter as October through April; (3) reconsider and recalculate the summer un-ionized standard using a temperature between 28° to 35°C (82.4° to 95°F), pH of 9, and 5 mg/l ammonia nitrogen; (4) reconsider and recalculate the winter un-ionized ammonia standard using a temperature of 10°C (50°F), pH of 9, and 15 mg/l (rather than the 10 mg/l value used).

The Board agrees that the standards listed in the prior Order are monthly averages. As to (2) above, the Board holds that the record<sup>1/</sup> in this case supports summer and winter periods as being defined as the months May through October and November through April, respectively regardless of the monthly designations listed in other regulations not part of this proceeding.

The Board set reasonable ammonia nitrogen and un-ionized ammonia standards. The ammonia nitrogen standard is quite liberal given the monthly average and range given in petitioner's

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<sup>1/</sup> Particularly Tables 10 and 12 of Petitioner's Exhibit 19, Table 10 of petitioner's Exhibit 22.

Exhibit 22. The winter limit of 15 mg/l is twice as high as the highest monthly average attained since improvements were made in the plant's treatment process. The highpoint of the range was 7.8 mg/l.

The un-ionized ammonia concentration responds to temperature, pH, and ammonia nitrogen concentration. The prior Board Order set out limits at 1.48 mg/l during the summer and 1.31 mg/l during the winter. The winter number was miscalculated and should be 1.17 mg/l on pages 5, 6, and 9 of the prior Opinion and Order. These levels are far in excess of the 0.04 mg/l standard.

Modine incorrectly assumes that the winter un-ionized ammonia limit should have necessarily been based on 15 mg/l ammonia nitrogen and maximum temperature and pH values. The Board agrees with the Agency that "[b]y setting the un-ionized limit at the concentration commensurate with the maximum allowable total ammonia concentration, maximum anticipated temperature and maximum probable pH the standard would be rendered entirely meaningless." (Agency Response to Motion at 2). The temperatures used to calculate the limits in the variance are offset by the relatively high pH and ammonia nitrogen levels used in the calculations.

The motion for clarification is granted and the motion for reconsideration is denied consistent with the views expressed herein.

IT IS SO ORDERED.

Board Member J.D. Dumelle dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 2<sup>nd</sup> day of August, 1984 by a vote of 5-1.

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