

ILLINOIS POLLUTION CONTROL BOARD
December 20, 1985

VILLAGE OF ROMEOVILLE,)	
)	
Petitioner,)	
)	
v.)	PCB 85-206
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by W.J. Nega):

This provisional variance request comes before the Board upon a December 18, 1985 Recommendation of the Illinois Environmental Protection Agency (Agency). The Agency recommends that a 45-day provisional variance be granted to the Village of Romeoville (Village) from 35 Ill. Adm. Code 309.102(a) to allow temporary bypassing of the Village's tertiary polishing pond while sludge is being cleaned from the lagoon. The Petitioner is apparently seeking relief from Section 309.102(a) (NPDES Permit Required) in order to discharge from a bypass line which is presently unpermitted. (Rec. 1).

The Village owns and operates two wastewater treatment facilities. Sludge removal and polishing pond restoration will occur at its south sewage treatment plant which is designated Plant #2. The Petitioner's Plant #2, which serves that portion of the Village that lies south of 135th street, includes two activated sludge plants, clarifiers, and a polishing pond. Sludge is first dried on sludge drying beds prior to disposal after digestion. Plant #2, which has a design average flow of 1.5 million gallons per day, discharges into an unnamed ditch tributary to the Des Plaines River. (Rec. 1).

The Petitioner is authorized to discharge pursuant to NPDES Permit #IL0048526 which requires the Village to meet the following interim effluent limitations for five-day biochemical oxygen demand (BOD), total suspended solids (TSS), and ammonia nitrogen:

	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>
BOD	20 mg/l	45 mg/l	
TSS	15 mg/l	45 mg/l	
Ammonia Nitrogen*			1.5
April - October			4.0

*Ammonia effluent limits must be met when downstream water quality concentrations do not meet 35 Ill. Adm. Code 302,212.

These limits apply to Outfall 001 only and final limits are 10/12 mg/l for BOD/TSS.

(Rec. 1).

When the polishing pond is bypassed, the Petitioner believes that its effluent will be able to meet interim effluent limitations. The Village also claims that its polishing pond worsens the quality of the effluent discharge. (Rec. 2). In its petition, the Village indicates the following effluent quality:

	<u>Prior to Pond</u>	<u>Final Effluent</u>
BOD	8.8 mg/l	18.6 mg/l
TSS	5.3 mg/l	31.6 mg/l
NH ₃ -N	3.79 mg/l	2.76 mg/l

(Rec. 2).

The Village has requested a provisional variance so that it can be allowed to bypass its polishing pond while repairs are made to the pond. These necessary repairs include dredging sludge from the lagoon and repairing previous erosion damage to the lagoon banks. The Agency indicates that if the Petitioner had employed better operational practices, the "pond may not have the sludge build-up that it currently has". (Rec. 2). However, the Agency believes that it is presently impractical to install a control system to attain full compliance.

The Agency believes that the environmental impact of the proposed provisional variance will be minimal because the effluent quality discharged to the receiving stream is expected to be of better quality than that discharged from the Petitioner's polishing pond. (Rec. 2). Additionally, the Agency feels that there will be no adverse environmental impact on any downstream water supplies, since the closest water supply is about 125 miles downstream on the Illinois River (i.e., the Peoria Water Company supply).

The Agency has concluded that compliance with the provisions of 35 Ill. Adm. Code 309.102(a) would impose an arbitrary or unreasonable hardship on the Village of Romeoville. (Rec. 1-3). The Agency has ascertained that there are no federal regulations that would preclude the granting of the requested relief. Accordingly, the Agency has recommended that the Board grant the Petitioner a provisional variance from 35 Ill. Adm. Code 309.102(a), subject to certain specified conditions.

Pursuant to Section 35(b) of the Illinois Environmental Protection Act, the Board hereby grants the provisional variance as recommended.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

The Village of Romeoville is hereby granted a provisional variance from Ill. Adm. Code 309.102(a) to allow temporary bypassing of its tertiary polishing pond while sludge is being cleaned from its lagoon, subject to the following conditions:

1. This provisional variance shall commence when the polishing pond is removed from service and shall terminate 45 days later, or upon completion of repairs to the pond, whichever occurs first.
2. Upon termination of this provisional variance, the Petitioner shall block the pond bypass so that it cannot be used until the Petitioner has received authorization for its use through a modified NPDES Permit.
3. During the term of this provisional variance, the Petitioner's pond bypass discharge shall meet the interim effluent limitation for Outfall 001 as stated in NPDES Permit #IL0048526 as if fully set forth herein and which is hereby incorporated by reference.
4. The Petitioner shall monitor this discharge as stated in the above referenced NPDES Permit.
5. The Petitioner shall notify by telephone the Agency's Maywood Regional Office when the polishing pond is removed from service and when it is returned to service. This notification shall occur within 24 hours of the above actions. These notifications shall be followed by written notification within 5 days to the Agency at the address shown below.
6. Within 10 days of the date of the Board's Order, the Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to Mr. James Frost of the Agency at the following address;

Mr. James Frost
Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
2200 Churchill Road
Springfield, Illinois 62706

This certification shall have the following form:

CERTIFICATION

I, (We), _____, having read the Order of the Illinois Pollution Control Board in PCB 85-206, dated December 20, 1985, 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 Opinion and Order was adopted on the _____ day of _____, 1985 by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board