

ILLINOIS POLLUTION CONTROL BOARD  
May 19, 1988

IN THE MATTER OF: )  
)  
) R82-7  
PETITION FOR SITE-SPECIFIC RELIEF )  
BY THE CITY OF ALTON )  
)

ADOPTED RULE. FINAL ORDER.

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

This matter comes before the Board upon the April 15, 1982 filing by the City of Alton (City) of a proposal for site-specific relief from 35 Ill. Adm. Code 304.106 (offensive discharges), 304.120(c) (10/12 mg/l BOD/TSS effluent standards), 304.121 (400 fecal coliform per 100 ml bacteria effluent standard), 304.124 (15 mg/l total suspended solids effluent standard), and from the combined sewer overflow (CSO) provisions at Sections 306.302 (prohibition on expansion of or new CSO service areas), 306.303 (elimination of excess sewer infiltration), 306.304 (prohibition on sanitary sewer overflows), 306.305 (treatment of overflows and bypasses) and 306.306 (compliance dates).

Procedural History

On May 13, 1982, the Board entered an Order seeking clarification of the proposal from the City (47 PCB 117). A merit hearing was held in Alton, Illinois on February 14, 1983. On October 12, 1984, the Illinois Department of Energy and Natural Resources filed its completed economic impact statement (EcIS) with the Board. An economic impact hearing was held in Alton on January 17, 1985.

On May 16, 1985, the Board adopted a proposed rule for First Notice. The proposed rule was published in the Illinois Register (9 Ill. Reg. 8392) on June 7, 1985, which commenced the 45-day comment period. The proponent, City of Alton (City), requested by letter an extension for it to submit its comments and did submit them on August 22, 1985. On October 29, 1985, the Agency filed a letter which stated:

After receipt of Petitioner's response to the First Notice, the Agency personnel involved had a meeting with the City's engineers in an effort to devise an alternate solution that might be acceptable to all parties and consistent with USEPA regulations. Discussions are continuing and at the earliest opportunity information will be

submitted to supplement the record.

However, the negotiations ended without result and the Board received no more information.

The Board adopted a proposed rule for Second Notice on March 27, 1986. The rule, at Second Notice, was modified in response to First Notice comments and the apparent position of the Illinois Environmental Protection Agency (Agency) as evidenced by a permit it issued to the City.

Subsequent to the Board's Second Notice Order, the Agency filed letters with the Board dated April 9 and 17, 1986 stating that this matter was still in the negotiation process with the City and United States Environmental Protection Agency (USEPA). Appended to the April 17 letter was a USEPA preliminary comment dated April 16, 1986. In that preliminary comment, the USEPA suggested that if additional economic data were placed in the record the City might be able to receive an exemption from the requirement that all wastewater be transported to the wastewater treatment plant even up to a 25 year flood event. The City then moved to authorize an additional engineering cost and feasibility study. The Joint Committee on Administrative Rules (JCAR) issued a certification of no objection to the rulemaking on April 17, 1986. The JCAR certification was conditioned upon the Board adding the clause "[n]o later than the date of completion of Lock and Dam No. 26" to proposed Section 304.210(b)(3). (That provision is now Section 304.502(b)(3)).

On May 22, 1986, the Agency filed a request that the Board delay final action until the results of the negotiations were incorporated into the record. In its Order of May 22, 1986, the Board stated that it would "await further comments from the City [City of Alton], the Illinois Environmental Protection Agency ('Agency'), and the USEPA before proceeding with this rulemaking." The Board believed that this was the "most efficient course of action" given the ongoing negotiation process between the City, Agency, and USEPA.

On June 22, 1987, the Agency filed comments (docketed as P.C. #4) in which were included comments of the USEPA. In response to the Agency's and USEPA's comments, the City filed its own comments with the Board on July 27, 1987 (docketed as P.C. #5). The Agency filed comments (docketed as P.C. #6) in response to the City's comments on August 19.

More than one year elapsed since the Board's initial First Notice. Section 5.01(d) of the Illinois Administrative Procedure Act required that the Board again adopt a proposal for First Notice before proceeding further with this rulemaking. Consequently, on January 21, 1988, the Board adopted for First Notice a version of the proposal which had been modified in accordance with the comments recently filed by the City and the

Agency. That proposal was published in the Illinois Register on February 16, 1988. 12 Ill. Reg. 3547. The Board received no public comments during this First Notice period.

On April 7, 1988, the Board proposed the same rule for Second Notice. The Joint Committee on Administrative Rules (JCAR) issued its Certificate of No Objection on May 10, 1988. At the request of JCAR, the Board has made some changes to the version of the rule as it is adopting today. Specifically, JCAR asked the Board to change Sections 306.502(b)(2) and (c)(1). However, it is the Board's position that these changes do not alter the rule in any substantive way.

Before discussing the filings by the City and the Agency, which prompted the Board's second First Notice, the Board will recite the factual background of this matter.

#### Background Information

The City is faced with three problem areas: receiving stream reclassification, CSO elimination (dry and wet weather flows) and wastewater treatment plant (WWTP) upgrade. Prior to 1982, the receiving stream for the WWTP was considered to be the Mississippi River (River) even though it discharged into Wood River Creek (Creek) approximately 1,000 feet from the Mississippi. The receiving stream is now classified by the Agency as the Creek, a low flow stream, thereby imposing stricter standards for BOD and TSS. The City requests relief from the 10/12 mg/l BOD/TSS and 15 mg/l TSS effluent standards (the 15 mg/l standard is for the CSO discharges while the 10/12 standard applies to discharges from the WWTP). The City proposes to meet the prior 20/25 mg/l standards for BOD/TSS for its WWTP discharge.

Besides reclassification difficulties, the City has a CSO problem. There are prohibited overflows from sanitary sewers to the River. In addition, some dry weather flows, the first flush of storm flows, and ten times the average dry weather flow are not being sufficiently treated. The River inundates certain CSO areas when the river pool level is above elevation 415.3 (Pet. 3).

Lastly, to meet standards, the WWTP must be upgraded or the sewer outfall must be extended another 1,000 feet to the River proper.

The City's WWTP provides secondary treatment by the contact stabilization mode which consists of settling and aeration tanks. The WWTP was designed for a population equivalent of 105,000, an average design flow of 10.5 million gallons per day (MGD), and a peak design flow of 26.25 MGD. The service area includes Alton, part of Godfrey Township, and Bethalto. Discharge is to either permitted outfall 001 or to an unpermitted

outfall into the Creek near the WWTP 5,000 feet from the River depending on the elevation of the River (see Pet. Exh. 13). During normal river stages, the discharge is 4,000 feet downstream from the WWTP, which is 1,000 feet from the River below the channel dam. Twenty percent of the time high water prevents discharge below the channel dam at outfall 001 (R. 74). Discharge is then above the channel dam at the unpermitted outfall (See Pet. Exhs. 13, 17).

Besides the WWTP discharge, the City has six permitted discharges from seven combined sewer areas (see Pet. Exhs. 1,2). There are three CSO outlets to the existing pool of Lock and Dam No. 26 (Id. #007, 006, 005) while two CSO's (Piasa, State) join at outlet #004 in the tailwater of the existing locks and dam. "The existing facilities allow overflow of untreated dry weather and storm flows during periods when the river stage below the existing dam (tailwater) is 415.3 mean sea level or higher. A sluice gate in the interceptor sewer must be closed when flood stages of the river exceed elevation 415.3 to prevent flooding of the interceptor system with river water.... Improvements resulting from the Corps of Engineers work to relocate Lock and Dam 26 will result in decreased frequency of such overflows." (Pet. 3). The average amount of CSO's discharged at outfalls 007, 006, and 005 is estimated to be 1.1 million gallons per year (Id.). The estimated annual overflow from the Piasa-State CSO outlet is 290 million gallons per year (Id. 4). The two remaining CSO's (003, 002) discharge to an area known as the Impoundment Area. During normal river stages discharge is by gravity to the River, but at high River stages the discharge is pumped into the river. The estimated annual overflow from these two outlets is 282 million gallons per year (Id. 5).

Before discussing the proposal and the two full compliance options, the relocation of Locks and Dam No. 26 and its effect on this proceeding will be discussed. The relocation is being performed by the U.S. Army Corps of Engineers (Corps). A new lock and dam structure will be located two miles downstream from the present structure. The relocation will change the area covered by Pool 26. The present pool has a normal elevation of 419 feet and a minimal elevation of 414 feet above mean sea level. (See Pet. Exh. 2). The record indicates that the "completion" of the lock and dam relocation, meaning the date at which the new pool will be raised, was scheduled for September 1987 (R. 98; E.R. 32). Three CSO's discharge to the present pool and will be unaffected by the dam relocation: Turner (007), Bluff (006), and Summit (005) (Pet. Exh. 2). The remaining CSO's will be affected. Outfall 004, comprised of the State and Piasa CSO's will be greatly impacted. This outfall discharges below the present dam into the tail waters. Upon dam relocation, the new Pool No. 26 would inundate the Piasa CSO because of the CSO's low control elevation (415.3 feet). The Corps' modifications to lessen this impact to the Piasa CSO will consist of construction

of an eight by eleven foot new outlet sewer, relocation of the Piasa and the State Street intercepting structures, the construction of a separate outlet for the State Street sewer and other miscellaneous construction (Pet. Exh. 6, R. 38-9). These improvements will be paid for by the federal government (R. 91) and will reduce sanitary flow biochemical oxygen demand (BOD) by 69 percent (R. 36-40).

The new pool at elevation 419 will affect the impoundment area which is at elevation 403. The Central and Shields CSO's discharge to this area. A proposed Corps improvement is to relocate the pumping station to the vicinity of the twin 60 pumps. The combination of pumps in one area will combat the increased water seepage from the relief wells of the levee (R. 89). As outfall 001 will be below the new lock and dam, it will be unaffected.

Although there are many different ways to juggle the different control strategies to address the City's three major problems, there are basically three options for the Board to focus on. Two are full compliance options. The first is a CSO and WWTP upgrade and the second is a CSO upgrade with an extension of the WWTP outfall pipe (001) to the Mississippi River. The third option is the proposal favored by the City, which includes limited CSO improvements.

The existing system is described more fully in the petition (Pet. Exh. 14) while the City proposal is described in Petitioner's Exhibit 8. The limited CSO improvements include construction of an interceptor sewer parallel to the southside interceptor, modification of the Shields Valley regulator chamber, installation of a twelve inch interceptor between the Shields Valley and the Shields Valley/Upper Alton intercepting structures, installation of an eighteen inch force main from the southside pumping station to the WWTP, and increasing the peak pumping capacity of the southside pump station from 8.9 MGD to 13.7 MGD (Pet. Exh. 8, R. 42-3). With these improvements, combined sewer overflows would be reduced by 9.1 percent (EcIS at 3-11).

The proposed improvements will cost the City \$885,600 (Pet. Exh. 9, EcIS at 5-3, ER at 12; Exh. D to EcIS) and would reduce the annual BOD discharge from the City by approximately 13 percent (Pet. Exh. 9). The EcIS calculates this to be a nine percent reduction, probably not including alternates B-1 and B-2 (EcIS, 3-11), which will be performed by the Corps (see above; references to alternates B-1,2,3 and 4 on Pet. Exh. 10 are no longer valid; R. 44). The EcIS calculates that the proposal will reduce TSS discharges from the existing system by nine percent (EcIS, 3-11). Ammonia nitrogen would be reduced by 13 percent (Id.).

The two full compliance options both include alternate 4-A,

which provides for a 36 inch force main and increase in pump capacity, additional screening and grit removal, clarification, chlorination, and dewatering equipment (Pet. Exh. 16, ch. 10; Pet. Exh. 7), for storage and treatment of first flush and primary treatment of ten times the dry weather flow above the first flush volume (see EcIS 3-8). The CSO's BOD and TSS discharges would be reduced by 98 percent (EcIS 3-8,-9,-10).

The first full compliance option will be designated Plan A. It consists of alternate 4-A plus an upgrade of the WWTP, including nitrification aeration, diversion and clarifier facilities, return sludge pumping station, blowers, tertiary filters and filter pumping station (EcIS 5-3). The cost for plan A would be the sum of costs for the CSO improvements (\$45,271,200) and WWTP upgrading (\$9,898,800) provisions, totalling \$55,000,000 (Id.). In addition to the pollutant reductions from 4-A concerning CSO discharges, WWTP BOD would be reduced by 80 percent, TSS by 93.1 percent, and ammonia nitrogen by 57 percent (EcIS 3-22).

The second full compliance option will be designated Plan B. It provides for CSO upgrade under alternate 4-A plus extension of the sewer outfall to the River. The total cost would be the sum of the costs for the CSO improvements plus that of the sewer outfall extension, (315,000) or \$45.6 million (EcIS 5-3). The 4-A CSO reductions are also present as in Plan A. Because of the extension of the WWTP outfall to the Mississippi, the upgrade provisions of Plan A are avoided. Under Plan B, the percent reductions from the WWTP are 66 percent BOD, 93.1 percent TSS, and six percent ammonia nitrogen (EcIS 3-22).

The City asserts an arbitrary or unreasonable hardship would be imposed if it had to comply with the regulations (Petition, Exh. 14, p. 13).<sup>1</sup> The two full compliance options, Plan A and B, would cost the City 55.2 million and 45.6 million dollars, respectively, while the City's proposal would cost \$885,000 (ER 11,12). The annual costs under the full compliance options would be 3.7 million and 2.8 million dollars while for the proposal, the annual costs would be \$128,400 (Id.). If the full compliance annual costs are spread over the entire Alton service area, the residential annual sewer service charge could increase between \$91 to \$121 while the nonresidential charge would increase between \$505 and \$680 (EcIS 5-10, -11). Such charges would

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<sup>1</sup> The Board notes that the "arbitrary or unreasonable hardship" standard is that which is applied in a variance proceeding. In a site-specific rulemaking, a petition must demonstrate that it is technically infeasible or economically unreasonable to comply with the general rule. The Board has applied the site-specific rulemaking standard in this proceeding.

increase by two to 299 percent for residences of Godfrey and Bethalto depending upon which assumptions are used (Id.).

As for the environmental impact of the City's discharges, the City testified that the situation is similar to two others studied by the Illinois State Water Survey. One studied the effect of Alton's water treatment plant discharge on the Mississippi, the other analyzed the impact of Peoria's CSO's on the Illinois River (R48-9, 70-1). From the studies the City alleges that there is no evidence of sludge build-up at the overflow point and no localized effects from the CSO's (R70-1). Regarding the ammonia nitrogen concentration of the WWTP discharge in relation to aquatic populations, it is known that the average discharge concentration is approximately 2.45 mg/l while the range is 0.05 to 7 or 8 ppm (R78). The City reports that fish and other aquatic life can migrate over the dam to go upstream in the Creek only 25 percent of the year, which corresponds to the high water elevations of the Mississippi (R. 80; see photo in Pet. Exh. 17).

Evidence which addresses WQS data for the Creek is found in the EcIS at pages 4-4, 4-5. Consistent copper and iron WQS violations have occurred in addition to one silver WQS violation. Agency sampling data upstream of the Creek discharges shows a mean dissolved oxygen (DO) concentration of 8 mg/l with a range of 4.3 to 12.1 mg/l. The DO WQS was violated once in 1982. The mean pH was 7.8 with a range of 7.0 to 8.9 units. The highest ammonia nitrogen concentration during the 1981-1982 period was 0.74 mg/l while the average was less than half of that figure (EcIS 4-7).

Agency sampling data for the years 1980-1982 were obtained for the River at its sampling station immediately below Locks and Dam 26, approximately 300 feet from the Clark Bridge (EcIS 4-17). This station is upstream of the Creek and it is not clear whether it is upstream or downstream of outfall 004 (Pet. Exh. 1). The data shows consistent WQS violations for iron, copper, and fecal coliform. Other WQS violations included two for lead and one for DO in 1980 and two for mercury in 1981 (EcIS, Table 4.2, 4-13, 4-17).

The Agency comments addressed two main concerns. First, the Agency stated that the evidence in the record is insufficient to substantiate economic hardship for dry weather overflows as requested in proposed rule I. Overload of an interceptor due to river backflow into the regulatory chambers should not happen if design criteria are met. The design criteria for such facilities "requires flood protection to maintain operational capability up to a 25-year event and protection of facilities from damage against a 100-year event." (Ag. Comments 1). The evidence shows that river backflow occurs at least eleven days annually. The Agency further stated that the discharge of untreated sanitary sewage into waters of the State would violate Section 301(b) (1)

(B) of the Clean Water Act [33 U.S.C. 1311 (b) (1) (B)]. In its First Notice comments, the Agency requested that the proposal be modified to include adherence to the design criteria for such facilities and to include alternative A-2 in the rule. The Agency's amendatory language to "require the protection and maintenance of the interceptor system from River backflow intrusion for the 25-year flood event" and to require that alternative A-2 be implemented (Ag. Comments 1,2). Recent filings indicated that the Agency is recommending different levels for flood protection.

The evidence of WQS violations in the River for the fecal coliform criterion dictates that any relief given should not aggravate this situation.

The second area addressed was that the City's NPDES permit does not include the alternate discharge point which is 4,000 feet upstream of permitted outfall 001. Furthermore, the potential costs of modifying outfall 001 to handle all WWTP discharges were not discussed in the record. The Agency suggested that the requested relief should only be for permitted outfall 001 and that this should be stated in the rule. The Board notes that this potential problem was raised at the economic hearing yet the City has not suggested a solution. The record is also silent as to potential water quality violations for the 4,000 feet of Wood River Creek below the alternative discharge point. Therefore, the Board will modify the proposed language to reflect the outfall distinction.

As for ammonia nitrogen relief, the Board notes that such relief has not been specifically requested in the proposal or record. Even had such relief been specifically requested in the proposal, there is inadequate data to show that the ammonia nitrogen WQS will not be violated in the Creek, especially in the 4,000 feet between the WWTP and outfall 001. Agency data was from sampling 1.6 miles upstream of outfall 001 and did not include this 4000 foot segment between the WWTP and outfall 001 (EcIS 4-4a). Therefore, the environmental impact of any ammonia nitrogen relief is uncertain and the Board hereby declines to address such relief in the Order.

In adopting today's rule the amounts of BOD and TSS that should be removed for full compliance will most likely end up downstream from Alton. However, the Board finds that the full compliance options are economically unreasonable although technically feasible. The Board further finds that the adopted rule is technically feasible and economically reasonable pursuant to Section 27 of the Environmental Protection Act.

The Board will grant relief from the offensive discharge regulation of Section 304.106.

The Board finds that Alton has justified the need for relief



from the Board's combined sewer overflow regulations. However, the Board agrees with the Agency both that the operational capability of the regulating chambers of the interceptor system should be protected against backflow intrusion by the River and that there should be maximum utilization of the south side interceptor system, including upgrading of the interceptor pump station. The Board is specifically concerned about the need to avoid or significantly reduce the necessity to discharge flows during dry weather because of system overload and malfunction caused by river backflows.

In its Comments, submitted during the first First Notice period, the City stated that after the relocation of Lock and Dam 26, discharges from the Piassa-State Street sewer should not be subject to certain effluent limitations when the mean sea level of the River exceeds 420 feet at River Miles 203.12 and 203.22. In other words, at a level less than the 25-year flood stage. Similarly, the City also contended that it could only flood proof certain combined sewer overflow structures up to specific River levels which are below the 25-year flood stage. In its first Second Notice Order, the Board adopted a version of the proposal which accepted the protection elevations specified by the City. Recent filings and past permitting action by the Agency have indicated that the Agency agrees with such a view.

#### Recent Filings

Attached to its comments of June 22, 1987 the Agency provides copies of correspondence from the USEPA which evaluate the City's proposal. First, the USEPA, in a letter dated August 8, 1986, asserts that the City has not substantiated the need for relief from the BOD<sub>5</sub> and SS effluent limitations of 10/12. The City requests that its WWTP discharges be subject to a 20/25 standard. The USEPA bases its conclusion on the high quality of WWTP effluent as exhibited by recent plant performance. However, the USEPA concurs with the Agency that "no significant water quality influences are likely to result from the relaxation of BOD and suspended solids limitations." (P.C. #4 attachment).

In response, the Agency states that it disagrees with USEPA's recommendation against relief. The Agency explains:

USEPA's position is based on "present plant performance", which ignores the fact that Alton's treatment plant was constructed to receive a design average flow of 10.5 MGD (million gallons per day) and currently receives flows of only about half that amount. Flows to the plant averaged 5.56 MGD in 1984, 5.23 MGD in 1985, and 5.19 MGD in 1986. The reason for the difference between design flow and flows actually received is due to the generally depressed economic

condition of the Alton area, and flows tributary to the treatment plant would be expected to increase as the economic condition of the area improves. More importantly, USEPA's position ignores the fact that the Alton facility was built as a federal grant funded project to meet effluent limitations of 20/25 and not 10/12. The record documents that 20/25 is adequate to protect water quality and the proposed 20/25 limits are certainly more stringent than federal secondary treatment requirements (30/30).

(P.C. #4, p. 1-2)

Finally, with regard to this issue, the Agency believes that the "anti-backsliding" provisions of Section 404 of the re-authorized Clean Water Act would not apply.

The next issue addressed by the Agency in its comments concerns improvements of the sewer system. Specifically, at issue is the cost of improvements to the sewer system which would enable the transport of sewage to the WWTP during River flood conditions up to and including the 25-year flood event. The Agency submitted a letter from Crawford, Murphy & Tilly, Inc. (CMT), consulting engineers for the City, which details the cost of such improvements.

CMT states that a 25-year flood level corresponds to a River elevation of 432.5 feet. According to CMT, improvements on the sewer system to provide flood proofing to such a River level would create expenditures totaling \$6,250,000. CMT states that the City's system is currently protected up to a 2.5 year flood event, which corresponds to a River elevation of 415.3 feet. CMT asserts that the City's current annual debt service for sewer and wastewater treatment plant improvements equates to \$377,000. According to CMT, if flood protection up to the 25-year flood level is instituted, the annual debt service will increase to \$1,000,000. CMT also states that the River's flow above the 2.5 year flood event is in excess of 250,000 cubic feet per second, which is approximately 162 billion gallons per day. Under such circumstances, the City's discharge would be 0.86 million gallons per day which, according to CMT, would amount to 0.0005% of the River's total flow. (P.C. #4 attachment).

The Agency has also submitted a USEPA response to CMT's cost estimate. In a letter dated May 5, 1987, the USEPA states:

Based on our review, we believe that a proper economic analysis was completed (consistent with 40 CFR 131), and due to the circumstances that exist at Alton, bypasses due to high river stages at something less

than the 25-year flood event can be authorized under 40 CFR 122.4(m).

(P.C. #4 attachment)

The Agency is apparently now in agreement with the levels of protection requested by the City (P.C. #6).

In its July 27, 1987 comments, the City addressed two concerns. First, the City states that the protection elevation for the Summit Street overflow structure should be listed at 426.7 feet not 427.0 feet as it was listed in the Board's Second Notice Order of March 27, 1986. The second and more substantive point is that the City proposes language, to be added to the rule, which expressly exempts the City from 35 Ill. Adm. Code 306.305(b). (P.C. #5).

The Agency filed its response to the City's comments on August 19, 1987. The Agency agrees with the City's protected elevation figure for the Summit overflow structure. In addition, the Agency states that since the Summit, Bluff, and Turner structures are all connected, they should be protected to the same elevation. As to the City's request for express relief from 35 Ill. Adm. Code 306.305(b), the Agency responds:

The issue of combined sewer overflow ("CSO") relief must be addressed in the context of the site specific rule change. The City has not formally sought an exception from 35 Ill. Adm. Code 306.305(b). However, even though the exception procedure has not been utilized, the Agency agrees with the Board's previous statement that "...Alton has justified the need for relief from the Board's combined sewer overflow regulations." (Proposed Opinion and Order, May 16, 1985, at p. 7). Actually, wet weather relief for the City should also include Section 306.305(a) as well. This portion of the site specific relief should be promulgated under Part 306, Performance Criteria. Additionally, the CSO's for which relief is sought should be designated by name and location rather than as "all existing combined sewer overflows."

(P.C. #6)

Finally, the Agency suggests some non-substantive alterations to the proposed rule. The Agency suggests that the portion of the rule concerning the BOD<sub>5</sub> and SS effluent limitations for the WWTP be placed under 35 Ill. Adm. Code 304 rather than Part 306. The Board agrees. Also, the Agency

suggests that the rule expressly require that "[t]he south side interceptor pump station shall be upgraded to a design capacity of a minimum of 13.7 million gallons per day." The previous version of the rule lacked the word minimum. The Board also agrees with this change.

In the rule that the Board is adopting today, the Board has altered the protection elevation of the Summit overflow structure in accordance with the City's and the Agency's comments.

As to the requested language regarding an exemption from Section 306.305, the Board concurs with the Agency's position and will adopt the language as suggested by the Agency in its comments.

#### ORDER

The Board hereby adopts the following amendments to be filed with the Secretary of State:

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 304  
EFFLUENT STANDARDS  
SUBPART B: SITE SPECIFIC RULES AND  
EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section 304.210 Alton Wastewater Treatment Plant Discharges

The discharge from the City of Alton's (Alton) sewage treatment works outfall 001 sewer located on Wood River Creek, approximately 1,000 feet from its confluence with the Mississippi River, shall not be subject to Section 304.120(c). Instead, Alton's discharge shall not exceed the following limitations: 20 milligrams per liter for five day biochemical oxygen demand (BOD<sub>5</sub>)(STORET number 00310) and 25 milligrams per liter for total suspended solids (STORET number 00530). Compliance shall be determined consistent with Section 304.120(e).

(Source: Added at, 12 Ill. Reg.  
effective ).

PART 306  
PERFORMANCE CRITERIA

SUBPART F: SITE SPECIFIC RULES AND EXCEPTIONS

Section 306.502 Alton Combined Sewer Overflow Discharges

- a) The discharge from the Piasa-State Street Sewer, defined as being at Mississippi River mile 202.64, shall not be subject

to the provisions of Sections 304.106, 304.120, 304.121 and 304.124 during the following conditions:

- 1) Prior to replacement of the existing Locks and Dam 26, when the tailwater elevation exceeds 415.3 Mean Sea Level (MSL); or
  - 2) After replacement of Locks and Dam 26, where the pool level exceeds elevation 420 MSL at Mississippi River miles 203.12 and 203.22 (Piasa and State Street Outlets relocated).
- b) Discharges from the City of Alton at Mississippi River miles 201.66 (Shields Valley), 202.24 (Central Avenue), 203.12 (Piasa Outlet), 203.22 (State Street Outlet), 203.61 (Summit Street), 203.87 (Bluff Street) and 204.30 (Turner Tract), shall be subject to the following conditions:
- 1) The overflow structures and the associated interceptor sewer shall be protected against intrusion by flood waters and be maintained operational at flood stages from Mississippi River backflow for a 25-year Mississippi River flood stage, except as follows:

| Overflow Structure  | River Mile | Protection Level<br>Mean Sea Level (MSL)<br>River Stage |
|---------------------|------------|---|
| Piasa Outlet        | 203.12     | 420.0 MSL   |
| State Street Outlet | 203.22     | 420.0 MSL   |
| Summit Street       | 203.61     | 426.7 MSL   |
| Bluff Street        | 203.87     | 426.7 MSL   |
| Turner Tract        | 204.30     | 426.7 MSL   |

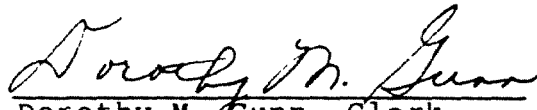
- 2) The City of Alton shall maintain the south side interceptor sewer system in such working condition so as to ensure that the system will flow at a maximum capacity.
  - 3) No later than the date of completion of Lock and Dam 26 the south side interceptor pump station shall be upgraded to a design capacity of a minimum of 13.7 million gallons per day.
- c) Discharges from the combined sewer overflows designated in paragraph (b) shall not be subject to the treatment requirements of Section 306.305(a) and (b) provided that:
- 1) The City of Alton shall maintain the south side interceptor sewer system in such working condition so as to ensure that the system will flow at a maximum capacity.

- 2) The South side interceptor pump station shall be upgraded to a design capacity of a minimum of 13.7 million gallons per day.

(Source: Added at 12 Ill. Reg.  
effective )

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Opinion and Order was adopted on the 19~~th~~ day of May, 1988, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk

Illinois Pollution Control Board