

ILLINOIS POLLUTION CONTROL BOARD

August 24, 2000

WEST SHORE PIPE LINE COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 01-34
)	(Provisional Variance - Water)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	
)	

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

On August 23, 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 West Shore Pipe Line Company. The provisional variance would allow this petitioner to discharge hydrostatic test water from its petroleum pipeline at its Harlem station, located in Cook County. This test water would be placed in temporary holding tanks, treated, and then discharged into the Chicago Sanitary and Ship Canal. 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 grants the petitioner a provisional variance from 35 Ill. Adm. Code 304.141(b) and 309.102(a), which prohibit discharges not specifically allowed by permit. 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 (Act) (415 ILCS 5/35(b) (1998)), the Board must issue the provisional variance within two days of the filing.

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

1. The variance shall begin during September 2000, when petitioner begins discharging hydrostatic test water and shall continue for 45 days or until all of the hydrostatic test water has been discharged, whichever occurs first.
2. During the variance period, petitioner shall treat the hydrostatic test water so as to produce the best effluent possible. Petitioner shall meet the following limits during the variance period:

Effluent Limitations, Monitoring, and Reporting

LOAD LIMITS lbs/day					CONCENTRATION	
DAF(DMF)					LIMITS mg/l	
PARAMETER	30 DAY	DAILY	30 DAY	DAILY	SAMPLE	SAMPLE
	AVERAGE	MAXIMUM	AVERAGE	MAXIMUM	FREQUENCY	TYPE
Outfall(s): 001 (Hydrostatic Test Water)						
Flow (MGD) -	Flow Shall be monitored and measured in units of Million Gallons per Day and reported as a 30 day average and daily maximum value.				Daily	Measure When Monitoring
PH	Shall be in the range of 6 to 9 Standard Units				Daily/When	Grab

Oil & Grease	36.03	72.06	15	30	Discharging Daily/When	Grab
Total Suspended Solid (TSS)	36.03	72.06	15	30	Discharging Daily/When	Grab
Iron	4.80	9.61	2	4	Discharging Daily/When	Grab
Benzene		0.12		0.05	Discharging Daily/When	Grab
Ethyl Benzene	0.041	0.52	0.017	0.216	Discharging Daily/When	Grab
Toluene	0.34	4.20	0.14	1.75	Discharging Daily/When	Grab
Xylenes (total)	0.28	3.60	0.117	1.5	Discharging Daily/When	Grab
Total BETX				0.75	Discharging Daily/When	Grab
Priority Pollutant (PNAs)				0.1	Discharging Daily/When	Grab

3. Petitioner shall notify Rob Sulski of the Agency's Maywood office by telephone at 708/338-7900 when discharging hydrostatic test water starts and again when discharging is completed. Written confirmation of each notice shall be sent within five days to the following address:

Illinois Environmental Protection Agency
Bureau of Water - Water Pollution Control
Attention: Mark T. Books
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

4. Petitioner shall sign a certificate of acceptance of this provisional variance and forward that certificate to Mark T. Books 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 01-34 dated August 24, 2000.

Petitioner

Authorized Agent

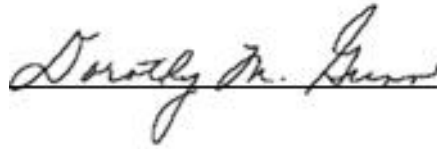
Title

Date

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days 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 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 24th day of August 2000 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