

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1978

CENTRAL ILLINOIS PUBLIC SERVICE)
COMPANY (COFFEEN POWER STATION),)
)
Petitioner,)
)
)
v.) PCB 77-221
)
)
ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

ANN L. CARR, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF
PETITIONER;
THOMAS L. COCHRAN, SORLING, NORTHRUP, HANNA, CULLEN & COCHRAN,
APPEARED ON BEHALF OF RESPONDENT.

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

On August 31, 1977, Central Illinois Public Service Company (CIPS) filed a petition requesting the Board to extend a variance granted CIPS on May 26, 1977 in PCB 77-2. CIPS requests relief from the total suspended solids, total dissolved solids, total iron, and pH concentration effluent standards of Rule 408(a) of Chapter 3: Water Pollution, and from the phosphorus, total dissolved solids, sulfate and boron water quality standards of Rules 203(c) and (f) of Chapter 3.

Hearing was held in this matter on December 21, 1977. Due to weather conditions, the Hearing Officer assigned to this matter was unable to attend the hearing. The parties carried on without the Hearing Officer, generating a 16 page record, most of which concerns the fact that the Hearing Officer was not present. Both parties stipulated that what was in the record would be the testimony which would be presented if there were a Hearing Officer present. In addition it was noted on the record that no members of the public were present. Considering the conditions, the Board will accept the record as a stipulation of testimony and will deem a hearing to have been held in this matter according to the Procedural Rules.

Coffeen Power Station accounts for approximately one-half of CIPS' present electric generating capacity and employs approximately 143 full-time operating people and 26 part-time employees. In 1976 CIPS engaged two consulting firms to develop a study for design and construction of a wastewater treatment facility modification at Coffeen. Exhibit 1 is a copy of one study entitled "Coffeen Power Station Preliminary Wastewater Management Study". In 1977 CIPS retained Stearns-Roger to proceed with phase II of the Coffeen Power Station wastewater treatment facility, which resulted in recommendations that would bring Coffeen Power Station into compliance with Federal and State water pollution regulations. The proposal in Exhibit 3 illustrates the compliance time schedule for completion of the wastewater treatment facility. The estimated cost to achieve compliance as shown in Exhibit 4 is approximately \$12,000,000, and the final completion date is September, 1979.

CIPS alleges that continued discharge of the wastewater effluent at Coffeen will result in minimal effects on the environment. There is apparently little or no discharge from Coffeen Lake to the receiving water, Shoal Creek. CIPS alleges that there has been no evidence of large fish kills in Coffeen Lake since it was started in 1965 and that the Lake does now and will continue to support a fishery. CIPS also alleges that, since the plant became operational in 1965, CIPS has received no indication that any operation at the Station has caused or contributed to any environmental harm. The Agency has not disputed any of the allegations in CIPS' petition.

In its recommendation the Agency proposes that the variance requested by CIPS be granted subject to certain conditions. The Board agrees. The compliance plan as proposed by CIPS in this proceeding should bring the effluent to the Lake within regulatory standards and correct any water quality problems remaining in Coffeen Lake, hopefully without causing any problems concerning the thermal discharge. A study by the Harza Engineering Company indicated that a cost of between \$4,000,000 and \$14,000,000 would be incurred to construct facilities to achieve compliance with total dissolved solid standards with an additional \$600,000 to \$3,000,000 annually to operate those facilities. It is expected that subsequent to the operation of the proposed treatment facilities and with dilution of the existing Lake waters by increased pumping from Shoal Creek, the dissolved solids situation at Coffeen Lake will be corrected. It is apparent to the Board that it would be an arbitrary and unreasonable hardship on CIPS to deny the proposed variance while CIPS is completing its compliance schedule.

In addition to the wastewater treatment facility CIPS proposes to follow interim measures to control the effluent wastewater from Coffeen Power Station as enumerated in paragraph (7) of the petition. CIPS will also continue to sample Coffeen Lake as it has done since 1965, and biological analysis will be performed for the Lake, for any discharge from the Lake into the east fork of Shoal Creek and for the east fork of Shoal Creek both upstream and downstream of the dam spillway discharge, all as noted in paragraph (8) of the petition. With regard to the effluent, the period of time for which a variance from Rule 408 is sought is until September, 1979. With regard to Rule 203, however, the time period is undetermined since the water quality standards for total dissolved solids, phosphorus, sulfate, and boron could conceivably be exceeded for some time after start-up of the wastewater treatment facility. The Board will therefore grant variance from Rule 203 with respect to the aforementioned parameters until September, 1981.

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

ORDER

It is the Order of the Pollution Control Board that Central Illinois Public Service Company be granted variance for Coffeen Power Station and Coffeen Lake from Rule 408(a) of Chapter 3 of the Board's Regulations with respect to total suspended solids, total dissolved solids, total iron, and pH concentrations until September 1, 1979, and from Rule 203 with respect to phosphorus, total dissolved solids, sulfate, and total boron concentrations until September 1, 1981, subject to the following conditions:

1. Interim effluent limitations shall be those values represented in Table 1.2-1 of Exhibit 1 to the extent consistent with U.S. EPA BPT promulgated standards.
2. Central Illinois Public Service Company shall execute the interim measures proposed in paragraph (7) of the petition herein.
3. Central Illinois Public Service Company shall execute the improvement program for the wastewater treatment facilities in accordance with the time frame set forth in Exhibit 3.

4. Central Illinois Public Service Company shall execute chemical and biological sampling and analysis as proposed in paragraph (8) of the petition.
5. Central Illinois Public Service Company shall set up and execute a monitoring program acceptable to the Agency with respect to the effluent quality and shall report to the Agency on a monthly basis.
6. Within 45 days of the adoption of this Order, Central Illinois Public Service Company shall execute and forward to both the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois, 62706 and the Pollution Control Board a Certification of Acceptance and Agreement to be bound to all terms and conditions of this Order. The 45 day period shall be held in abeyance during any period this matter is being appealed. The form of said certification shall be as follows:

CERTIFICATION

I, (We), _____ having read and fully understanding the Order of the Illinois Pollution Control Board in PCB 77-221 hereby accept said Order and agree to be bound by all of the terms and conditions thereof.

SIGNED _____

TITLE _____

DATE _____

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 27th day of April, 1978 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board