

ILLINOIS POLLUTION CONTROL BOARD
July 20, 1978

ARMAK COMPANY,)
)
 Petitioner,)
)
 v.) PCB 77-180
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

On July 13, 1978 the parties asked the Board to decide this matter without a hearing. The motion is hereby granted.

Petitioner is hereby granted a variance from Rule 404(f)(ii) of Chapter 3 of the Board's Rules and Regulations until December 31, 1978 subject to the following conditions:

1. The BOD and Total Suspended Solids discharged shall be limited to the amounts set forth in Exhibit L which is attached to the Second Amended Petition for Variance and is incorporated into this Order as if fully set forth herein.
2. Petitioner shall comply with the standards for maintaining dissolved oxygen in Aux Sable Creek and with the monitoring and reporting conditions set out in paragraph 14 of the Second Amended Petition for Variance and is incorporated into this Order as if fully set forth herein.

Petitioner is hereby granted a variance from Rule 962 of Chapter 3 of the Board's Rules and Regulations so that it can obtain a construction permit to complete the program outlined in Exhibit H which is attached to the Second Amended Petition for Variance and is incorporated into this Order as if fully set forth herein. If during the term of this variance Petitioner discovers that its compliance program will not be successful, Petitioner shall submit a modified permit application to the Agency indicating an alternative compliance program.

The Agency, pursuant to Rule 914 of Chapter 3 of the Board's Rules and Regulations, shall modify NPDES permit No. IL0026069 consistent with the condition set forth in this Order.

Within 45 days after the date of the Board's Order herein the Petitioner shall execute and forward to the Illinois Environmental Protection Agency, Variance Section, 2200 Churchill Road, Springfield, Illinois, 62706, a Certification of Acceptance and Agreement to be bound to all terms and conditions of the variance. This 45 day period shall be held in abeyance for any period during which this matter is 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 77-180 hereby accept said Order and agree to be bound to all terms and conditions thereof.

SIGNED _____
TITLE _____
DATE _____

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 20th day of July, 1978 by vote of 5-0.

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