

Lake Pittsburgh, a private pond which lies wholly on PPG's property, discharges to a ditch tributary to Lake Decatur. Lake Pittsburgh also receives drainage from adjacent properties, as well as storm water flow from PPG's property. The parties agree that no natural watercourses enter Lake Pittsburgh. The sources of water to Lake Pittsburgh are primarily through man-made structures, the discharge outlet of the Mt. Zion Plant, sub-surface field tiles, and storm runoff from the immediate plant property.

The pond was constructed to act as a cooling pond in 1957, and that is still its function today. Under these circumstances, Lake Pittsburgh is considered a "treatment works" rather than "waters of the State." Therefore, the TSS concentration which must meet the Rule 408(a) limitation of 15.0 mg/l is that contained in the discharge from the pond to the ditch tributary to Lake Decatur rather than in the discharge into the pond from the Mt. Zion plant.

PPG supplied monitoring data with respect to flows into and out of Lake Pittsburgh (Table I below) and with respect to the TSS concentrations in the water supplied by the City of Decatur to the Mt. Zion Plant (Table II below). The Agency has also taken grab samples of discharge at the outlet of Lake Pittsburgh (Table III below).

Table I

<u>Date of Sample</u>	<u>TSS Concentration of PPG Discharge into Lake</u>	<u>TSS Concentration of Discharge from Outlet of Lake</u>
2/20/75	11.5 mg/l	2.0 mg/l
2/26/75	4.0 mg/l	70.0 mg/l
2/28/75	7.2 mg/l	14.1 mg/l
3/5/75	-	8.0 mg/l
3/12/75	-	18.0 mg/l

Table II

<u>Date Sampled</u>	<u>TSS Concentration of Incoming City Water</u>
1/24/75	15.0 mg/l
1/27/75	6.5 mg/l
1/28/75	2.5 mg/l
1/29/75	6.0 mg/l
1/30/75	4.5 mg/l
1/31/75	9.5 mg/l

Table III

<u>Date Sampled</u>	<u>Total Suspended Solids (at Lake Outlet)</u>
7/23/74	80 mg/l
8/14/74	59 mg/l
9/11/74	180 mg/l
10/9/74	47 mg/l
11/14/74	18 mg/l
12/11/74	4 mg/l
1/16/75	1 mg/l

The parties agree that the concentration of total suspended solids discharged at outfall 001 is not attributable to the Mt. Zion Plant. The above data support that conclusion as does a graph submitted into evidence by PPG (Exhibit C of the Stipulation) which plots the TSS at outfall 001 and at the inlet to Lake Pittsburgh from the plant. The concentration of TSS at outfall 001 is, rather, attributable to the effects of storm action, animal action and fish action stirring up the sediment within the pond. The field drainage from adjacent properties and storm water flow from PPG Industries property also contribute to the TSS concentration. PPG also alleges that the quality of water purchased from the City of Decatur demonstrated in Table II above, adds to the problem.

PPG has considered two alternatives for complying with Rule 408 (a). The first, treatment of suspended solids at outfall 001 by installation of a clarifier, is estimated to cost \$615,000.00. The second, elimination of outfall 001 through use of a cooling tower and incineration of water softener backwash to remove dissolved solids, is estimated to cost \$150,000.00.

The Board recognizes that there is no apparent relationship between suspended solids discharged at outfall 001 and the suspended solids contained in the influent to Lake Pittsburgh. However, because Lake Pittsburgh is a treatment facility, PPG has a greater responsibility to maintain it in an environmentally sound condition. PPG has not proven that achieving compliance with Rule 408(a) would impose an arbitrary and unreasonable hardship upon it. Furthermore, although PPG has researched the cost of compliance, it has not submitted a detailed description of a program to be undertaken to achieve compliance. The essence of a variance is a firm and adequate program for achieving compliance. Metropolitan Sanitary District of Greater Chicago v. EPA, 3 PCB 57. Therefore, the Board denies PPG's request for variance from Rule 408(a) for outfall 001.

This Opinion represents 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:

1. The request of PPG Industries, Inc., for variance from Rule 408(a) for outfall 001 is hereby denied.
2. The request of PPG Industries, Inc., for variance from Rule 408(a) for outfall 002 is dismissed without prejudice.

Mr. Young abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted on the 6th day of May, 1976 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board