

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1980

URBANA AND CHAMPAIGN,)
SANITARY DISTRICT,)
)
Petitioner,)
)
v.) PCB 79-186
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by Mr. Dumelle):

On January 2, 1980 the Agency requested modification of the Order entered in this matter on November 29, 1979. The Agency asked that Paragraph 1 of the Order be changed to permit suspension of chlorination 180 days after Petitioner's NPDES permits are modified. The Board agrees that this change is appropriate. The Agency also asked that Paragraph 3 of the Order be changed to provide that Petitioner shall resume chlorination even if the Board acts favorably on the Agency's proposal in R77-12, Docket D. The Board does not agree with this change. If the Board adopts the Agency's proposal in R77-12, Docket D, Petitioner's obligation to resume chlorination will be based on contractual obligations beyond the scope of this variance.

In Paragraph 4 of the Order the Board requested a report on the extent of wading and canoeing for a distance of 20 miles downstream of Petitioner's discharges. In Paragraph 5 of the Order the Board retained jurisdiction to review this report. On December 28, 1979 the report was filed with the Board. Consequently Paragraphs 4 and 5 of the Order need not be retained.

The Board's Order dated November 29, 1979 is hereby amended to read as follows:

It is the Order of the Pollution Control Board that Petitioner be granted a variance from Rules 203 (g), 405

and 402 of Chapter 3: Water Pollution as they apply to fecal coliform, for a period of one year at the Northeast and Southwest plants subject to the following terms and conditions:

- 1). Petitioner's NPDES Permits Nos. IL 0031500 and IL 0031526 shall be modified to permit suspension of chlorination for a period of 365 days to begin 180 days after the modified permits are issued.
- 2). Petitioner's variance shall automatically terminate should the Institute elect to end its study within the one year period.
- 3). At the end of the 365 day period described in Paragraph 1, Petitioner shall comply with the Board's decision on the proposed rule change in R77-12, Docket D.
- 4). Within 45 days of the date of this Order, Petitioner shall execute of certification of acceptance and agreement to be bound to the terms and conditions of this variance. This 45 day period shall be held in abeyance if this matter is appealed. The certification shall be forwarded to the Illinois Environmental Protection Agency, Variance Section, 2200 Churchill Road, Springfield, Illinois 62706 and shall read as follows:

CERTIFICATION

I (We), _____ having read and fully understanding the Order in PCB 79-186, hereby accept that Order and agree to be bound by all of its terms and conditions.

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 10th day of January, 1980 by a vote of 4-0.

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