

ILLINOIS POLLUTION CONTROL BOARD
June 8, 1989

IN THE MATTER OF:)
)
PROPOSED SITE SPECIFIC RULE) R87-35
CHANGE FOR THE CITY OF EAST)
MOLINE'S PUBLIC WATER SUPPLY)
TREATMENT PLANT DISCHARGE:)
35 ILL. ADM. CODE 304.218)

PROPOSED RULE SECOND FIRST NOTICE.

ORDER OF THE BOARD (by J. Anderson):

This matter is being returned to First Notice pursuant to Section 5.01(d) of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1001 et seq., par. 1005.01(d)), which precludes adoption of any proposed rule more than one year after original first notice publication.

Delays in the progress of this case have been occasioned by an extension in the pre-hearing preparation schedule, requested by both major participants, and by necessary accommodation of substitution of counsel for the Environmental Protection Agency. Public hearings were held in this matter on February 9, 1989. Testimony, public comments and briefs of participants have been received by the Board. Persons having provided such testimony, comments and/or briefs previously in this proceeding need not do so again. Following expiration of the forthcoming First Notice period, the Board expects to promptly file its decision and to submit appropriate Second Notice to the Joint Committee on Administrative Rules. The following First Notice proposal, however, is identical with that originally proposed by the Board in its Order of April 21, 1988. This action is in no way to be construed as the Board's substantive position with regard to the merits of this matter.

The Board hereby adopts the proposal set forth below for First Notice and directs the Hearing Officer to cause the publication of the proposal in the Illinois Register.

ORDER

The Board directs the Hearing Officer to submit the following proposed amendments to the Secretary of State's Office for First Notice publication.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

PART 304
EFFLUENT STANDARDS

SUBPART A: GENERAL EFFLUENT STANDARDS

Section	
304.101	Preamble
304.102	Dilution
304.103	Background Concentrations
304.104	Averaging
304.105	Violation of Water Quality Standards
304.106	Offensive Discharges
304.120	Deoxygenating Wastes
304.121	Bacteria
304.122	Nitrogen (STORET number 00610)
304.123	Phosphorus (STORET number 00665)
304.124	Additional Contaminants
304.125	pH
304.126	Mercury
304.140	Delays in Upgrading
304.141	NPDES Effluent Standards
304.142	New Source Performance Standards (repealed)

SUBPART B: SITE SPECIFIC RULES AND EXCEPTIONS
NOT OF GENERAL APPLICABILITY

Section	
304.201	Calumet Treatment Plant Cyanide Discharges
304.202	Chlor-alkali Mercury Discharges in St. Clair County
304.203	Copper Discharges by Olin Corporation
304.204	Schoenberger Creek: Groundwater Discharges
304.205	John Deere Foundry Discharges
304.206	Alton Water Company Treatment Plant Discharges
304.207	Galesburg Sanitary District Deoxygenating Wastes Discharges
304.208	City of Lockport Treatment Plant Discharges
304.209	Wood River Station Total Suspended Solids Discharges
304.212	Sanitary District of Decatur Discharges
304.213	Union Oil Refinery Ammonia Discharge
304.214	Mobil Oil Refinery Ammonia Discharge
304.218	<u>City of East Moline Drinking Water Treatment Plant Discharge</u>

SUBPART C: TEMPORARY EFFLUENT STANDARDS

Section	
304.301	Exception for Ammonia Nitrogen Water Quality Violations
Appendix A	References to Previous Rules

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1981, ch. 111-1/2, pars 1013 and 1027)

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 30, p. 343, effective July 27, 1978; amended at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 3 Ill. Reg. 25, p. 190, effective June 21, 1979; amended at 4 Ill. Reg. 20, p. 53, effective May 7, 1980; amended at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 6 Ill. Reg. 13750, effective October 26, 1982; amended at 7 Ill. Reg. 3020, effective March 4, 1983; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended at 7 Ill. Reg. 14515, effective October 14, 1983; amended at 7 Ill. Reg. 14910, effective November 14, 1983; amended at 8 Ill. Reg. 1600, effective January 18, 1984; amended at 8 Ill. Reg. 3687, effective March 14, 1984; amended at 8 Ill. Reg. 8237, effective June 8, 1984; amended at 9 Ill. Reg. 1379, effective January 21, 1985; amended at 9 Ill. Reg. 4510, effective March 22, 1985; peremptory amendment at 10 Ill. Reg. 456, effective December 23, 1985; amended at 11 Ill. Reg. 3117, effective January 28, 1987; amended in R84-13 at 11 Ill. Reg. 7291, effective April 3, 1987; amended in R86-17(A) at 11 Ill. Reg. 14748, effective August 24, 1987; amended in R84-16 at 12 Ill. Reg. 2445, effective January 15, 1988; amended in R83-23 at 12 Ill. Reg. 8658, effective May 10, 1988; amended in R87-27 at 12 Ill. Reg. 9905, effective May 27, 1988; amended in R82-7 at 12 Ill. Reg. 10712, effective June 9, 1988; amended in R85-29 at 12 Ill. Reg. 12064, effective July 12, 1988; amended in R87-22 at 12 Ill. Reg. 13966, effective August 23, 1988; amended in R86-3 at 12 Ill. Reg. 20126, effective November 16, 1988; amended in R84-20 at 13 Ill. Reg. 851, effective January 9, 1989; amended in R85-11 at 13 Ill. Reg. 2060, effective February 6, 1989; amended in R88-1 at 13 Ill. Reg. 5976, effective April 18, 1989; amended in R86-17B at 13 Ill. Reg. 7754, effective May 4, 1989; amended in R87-35 at Ill. Reg. _____, effective _____.

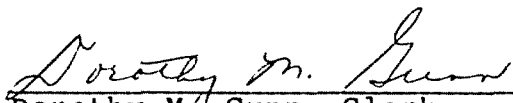
Section 304.218 City of East Moline Drinking Water Treatment Plant Discharges

This Section applies to the existing water treatment plant known as the East Moline Public Water Supply Treatment Plant, owned by the City of East Moline, which discharges into the Mississippi River. Such discharges shall not be subject to the effluent standards for total suspended solids, iron and manganese of 35 Ill. Adm. Code 304.124.

(Source: Added at _____, Ill. Reg. _____, effective _____)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8th day of June, 1989, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board