

ILLINOIS POLLUTION CONTROL BOARD
April 7, 1988

VILLAGE OF PECATONICA,)
)
) Petitioner,)
)
) v.) PCB 88-64
)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
) Respondent.)

OPINION AND ORDER OF THE BOARD (by J.D. Dumelle):

This provisional variance request comes before the Board upon an April 6, 1988 Recommendation of the Illinois Environmental Protection Agency (Agency). The Agency recommends that because of an arbitrary and unreasonable hardship, the Petitioner, Village of Pecatonica, be granted a provisional variance, subject to certain conditions, from "its effluent limits" for the time that its secondary treatment process will be out of service while repairs are made to the secondary clarifier sludge collector mechanism.

Petitioner owns and operates wastewater treatment facilities consisting of comminutor, raw sewage pumping, an aerated grit chamber, a circular package type contact stabilization activated sludge unit with integral secondary clarifier and aerobic digester, tertiary lagoon, chlorination and flow measurement. These facilities are designed for an average flow of 0.50 MGD with effluent discharge to the Pecatonica River.

Petitioner is presently required by NPDES permit No. IL0030571 to meet effluent limits of 30 mg/l for both BOD and TSS as monthly average from its wastewater treatment facilities.

Petitioner has indicated that the sludge collector mechanism in the bottom of the secondary clarifier has broken down which has reduced the ability to return sludge to the contact stabilization process or to waste excess sludge to the aerobic digester. Petitioner desires to repair the sludge collector mechanism and return the secondary treatment processes to normal operation. Petitioner has indicated that in order to repair the sludge collection mechanism in the secondary clarifier, the secondary clarifier will need to be drained. In order to drain the secondary clarifier the entire secondary treatment process and the aerobic digester will need to be taken out of service since the contact, reaeration, and aerobic digestion compartments will need to be drained to an approximate water depth of 5 feet in order to maintain the structural integrity of the steel

partition between these compartments and the secondary clarifier compartment.

Petitioner has indicated that clear water from the secondary treatment and digestion units will be drained to the tertiary lagoon. Sludge in excess of that deemed necessary for seed to reestablish the contact stabilization process when the secondary treatment units are returned to service will be applied to farmland.

While the secondary treatment process is out of service, Petitioner plans to treat the raw sewage via the aerated grit chamber, chlorination prior to the tertiary lagoon, the tertiary lagoon, and chlorination prior to discharge to the Pecatonica River.

Petitioner requested the provisional variance for a period of 30 days in order to repair the sludge collection mechanism and return the secondary treatment process to normal stable operation. According to the Agency, subsequent information from Petitioner indicates that removal from service and draining of the package unit is anticipated to begin on April 7, 1988. Petitioner's expectations are that the nature of the needed repair is some welding or repair/replacement of readily available parts. Petitioner plans to inspect the entire sludge collection mechanism while the facility is dewatered and anticipates returning the secondary process to service within 3 to 5 days.

Petitioner has not requested any specific effluent limits for its discharge while the secondary treatment process is out of service. However, the Agency feels that since Petitioner will be providing some treatment via the aerated grit chamber, chlorination, and the tertiary lagoon, and considering the short period of time that the secondary treatment is anticipated to be out of service, that 60 mg/l for both BOD₅ and TSS is reasonable.

Although Petitioner has not discussed alternatives to the planned course of action nor the arbitrary and unreasonable hardship involved per se; the Agency considers Petitioner's course of action to be the most desirable and feasible one possible due to the anticipated short period of time that the secondary treatment process will be out of service and the provisions Petitioner is making to provide partial treatment during this time.

Furthermore, the Agency considers that denial of Petitioner's request will create an arbitrary and unreasonable hardship upon Petitioner due to the fact that Petitioner has only one set of secondary treatment units, the expediency with which Petitioner desires to correct the problem, and the anticipated short duration that the secondary treatment units will be out of service.

The Agency expects the environmental impact of granting Petitioner's request to be minimal for the following reasons: a) wastewater will receive partial treatment prior to discharge, b) any elevated concentration of BOD₅ and TSS discharged will be of short duration, c) during the requested period of the variance flows in the receiving stream can be expected to be greater than normal due to spring rains thus giving greater dilution capability (based upon the average discharge of the Pecatonica River upstream at Freeport and the average discharge from Petitioner's facilities over the past year the dilution ratio is approximately 1720:1).

There are no downstream public water supplies which would be adversely impacted by the granting of this variance.

There are no federal regulations which would preclude the granting of this variance at this time for the period requested.

Pursuant to Section 35(b) of the Environmental Protection Act, the Board hereby grants the provisional variance as recommended.

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

ORDER

The Village of Pecatonica, Petitioner, is hereby granted a provisional variance, subject to the following conditions:

- a) This provisional variance shall commence when Petitioner removes the secondary treatment process from service and begins dewatering it; and shall continue for a period of 30 days or until the secondary treatment process is returned to service and is producing a normal stable effluent, whichever occurs first.
- b) During this provisional variance the effluent from Petitioner's treatment facility shall be limited to 60 mg/l BOD₅ and TSS as 30 day averages.
- c) Petitioner shall notify Dennis Connor of the Agency's Rockford Regional Office via telephone at 815/987-7755 when bypassing of the clarifier is begun and when it is returned to service. Written confirmations of each notification shall

be sent within 5 days to the following addresses:

Illinois Environmental Protection
Agency
4302 North Main Street
Rockford, Illinois 61103
Attn: Dennis Connor

Illinois Environmental Protection
Agency
Compliance Assurance Section
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

- d) During this provisional variance Petitioner shall operate its wastewater treatment facility so as to produce the best effluent practicable. Additionally, Petitioner shall perform the necessary repair work on the clarifier as expeditiously as possible so as to minimize the period of time that it is out of service.
- e) Within 10 days of the date of the Board's Order, Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to the Springfield address indicated above.

This variance shall be void if Petitioner fails to execute and forward the certificate within the ten day period. The ten day period shall be held in abeyance during any period that this matter is being appealed. The form of said Certificate shall be as follows:

CERTIFICATE

I, (We), the Village of Pecatonica, having read the Order of the Illinois Pollution Control Board, in PCB 88-64, dated April 7, 1988, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

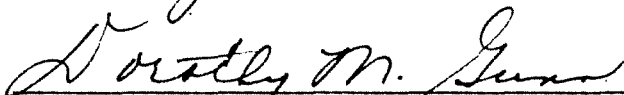
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Date

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1875 ch. 111^{1/2} par. 1041, provides for appeal of final Orders of the Board within 35 days. The Rule of the Supreme Court of Illinois establish filing requirements.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 7th day of April, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board