

ILLINOIS POLLUTION CONTROL BOARD
August 31, 1989

ILLINOIS POWER CO. - BALDWIN,)
)
 Petitioner,)
)
 v.) PCB 89-134
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

This matter comes before the Board upon a recommendation filed by the Illinois Environmental Protection Agency ("Agency") on August 29, 1989 recommending that the Board grant a 45-day provisional variance to Illinois Power Company's Baldwin Power Station ("Illinois Power"). Illinois Power requests this provisional variance from 35 Ill. Adm. Code 304.120 and 304.141(a) for biochemical oxygen demand (BOD) and total suspended solids (TSS). On August 21, 1989, the Agency received a request for a provisional variance from Illinois Power. Illinois Power is requesting a variance to allow their sanitary treatment plant's (STP) trickling filter to be taken out of service so that it can be upgraded, and to allow the facility to exceed its NPDES effluent limitations during the period that the unit is out of service.

Illinois Power owns and operates a coal-fired generating station located near Baldwin, Illinois in St. Clair and Randolph Counties. The station is designed to provide a maximum capacity of 1680 megawatts. The STP consists of a "flow equalization tank, spirohoff tank, trickling rock filter, final clarification chamber and chlorine contact tank. Effluents are first discharged to an enclosed basin in Baldwin Lake. From the basin, waters are pumped to the ash pond which ultimately discharges to the Kaskaskia River." (Variance request at par. II). Illinois Power is presently required by its NPDES permit (IL0000043) to meet effluent limitations of 30 mg/l monthly average for both BOD and TSS.

Illinois Power states that "the efficiency of the STP has been drastically reduced because the trickling filter is not functioning properly resulting in poor treatment plant performance particularly during cold weather." (Variance Request at par. III). Illinois Power also states that the filter media of the trickling filter is "not accomplishing proper removal, possibly due to some type of pluggage, and the underdrain system has likely collapsed." (Variance Request at par. V). Illinois

Power states that "replacement of both the filter media and underdrainage system should prevent further deterioration of the effluent quality and ensure permit limits are not exceeded in the future." (Id.) Illinois Power has stated that during the upgrade work, all flows will still go through the spirohoff tank and the clarifier. Illinois Power is requesting that their effluent limits for BOD and TSS be raised to 60 mg/l for a monthly average and 120 mg/l for a daily maximum (both concentration limits).

The Agency states that it agrees with Illinois Power that the impact on the Kaskaskia River will be negligible. The Agency's decision is based on the relatively small wastewater discharge volumes, the routing of the effluent first to an enclosed basin and then to the ash pond before discharging to the Kaskaskia River, the treatment provided by the remaining treatment units and the short duration of the variance. (Agency Rec. at par. 7). The Agency also states that it believes that Illinois Power has chosen the best alternative for correcting the problem and for bringing their plant back into full compliance with their NPDES effluent limits during the winter months.

The Agency states that it agrees with Illinois Power that denial of the provisional variance would impose an arbitrary or unreasonable hardship on the plant. The Agency also states that there are no federal laws which would preclude the granting of this variance and that it is not aware of any public water supplies which would be adversely affected by granting this provisional variance.

The Board having received notification from the Agency that compliance on a short term basis with the effluent limitations imposed by 35 Ill. Adm. Code 304.120 and 304.141(a) would impose an arbitrary or unreasonable hardship upon Illinois Power and the Board concurring in that notification, will grant Illinois Power's provisional variance, subject to the conditions suggested by the Agency.

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

ORDER

1. Illinois Power Company's Baldwin Power Station is hereby granted provisional variance from 35 Ill. Adm. Code 304.120 and 35 Ill. Adm. Code 304.141(a) for BOD and TSS, subject to the following conditions:
 - A. Variance shall commence upon the date the Trickling Filter is removed from service and continue for 45 days.
 - B. During the period of this variance, the effluent

- B. During the period of this variance, the effluent discharged shall be limited to 60 mg/l for a monthly average and 120 mg/l for a daily maximum for both BOD and TSS (concentration limits).
- C. Petitioner shall notify Eric Merz of the Agency's Collinsville Regional Office via telephone at 618/346-5120 when the trickling filter is removed from service, and when the unit is returned to service. Written confirmation of each notification shall be submitted within 5 days to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
Attn: Barbara Conner

- D. Petitioner shall return the trickling filter to service as quickly as possible, and shall provide the best treatment practicable during the variance.
 - E. Petitioner shall obtain the necessary construction permits from the Agency before initiating construction for the repair work.
2. Within 10 days of the date of this Order, Petitioner shall execute a Certificate of Acceptance and Agreement which shall be sent to Barbara Conner at the 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 certification shall be as follows:

CERTIFICATION

I, (We), Illinois Power Company - Baldwin, having read the Order of the Illinois Pollution Control Board, in PCB 89-134, dated August 31, 1989, understand and accept the said Order, realizing that such acceptance renders all terms and conditions thereto binding and enforceable.

Petitioner

By: Authorized Agent

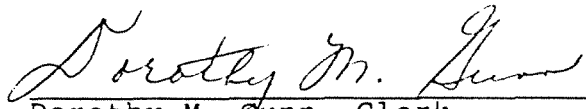
Title

Date

Section 41 of the Environmental Protection Act, Ill. Rev. Stat. 1987, ch. 111 $\frac{1}{2}$, par. 1041, provides for appeal of Final Orders of the Board within 35 days.. The Rules 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 31st day of August, 1989, by a vote of 6-0.



Dorothy M. Gunn, Clerk,
Illinois Pollution Control Board