

ILLINOIS POLLUTION CONTROL BOARD  
July 24, 2014

IN THE MATTER OF: )  
)  
PROPOSED SITE SPECIFIC RULE FOR ) R 14-24  
SANITARY DISTRICT OF DECATUR ) (Rulemaking – Water)  
FROM 35 ILL. ADM. CODE SECTION )  
302.208(E) )

ORDER OF THE BOARD (by J.A. Burke):

On June 30, 2014, the Sanitary District of Decatur (District) filed a petition (Pet.) for a site-specific rulemaking pursuant to sections 27 and 28 of the Environmental Protection Act (Act) and sections 102.202 and 102.210 of the Board’s regulations. 415 ILCS 5/27, 28 (2012); 35 Ill. Adm. Code 102.202, 102.210. The petition concerns the District’s Main Sewage Treatment Plant (Main Plant) located at 501 Dipper Lane, Decatur, Macon County. Pet. at 4.

The District seeks to establish “an alternative chronic water quality standard for nickel from the point of its discharge into the Sangamon River from its [Main Plant] to the point of the confluence of the Sangamon River with the South Fork of the Sangamon River near Riverton.” Pet. at 1. The general use water quality standard for nickel is set forth in Section 302.208(e) of the Board’s regulations. Pet. at 1, citing 25 Ill. Adm. Code 302.208(e). The District proposes the following site specific chronic water quality standard for nickel:

Section 303.41X Chronic Nickel Water Quality Standard for  
Segment of the Sangamon River

The general use chronic water quality standard for dissolved nickel contained in Section 302.208 shall not apply to the Sangamon River, which receives discharges from the Sanitary District of Decatur’s Main STP, from the outfall of that facility 39° 49’ 56” North Latitude, 89° 0’ 7” West Longitude (the lat/long of Outfall 001) to the point of the confluence of the Sangamon River with the South Fork of the Sangamon River near Riverton. Instead, nickel levels in such waters shall meet a chronic water quality standard for dissolved nickel of 0.038 mg/L. Pet. at 2.

The District also proposes

a site specific alternative mixing rule under certain flow conditions in order to allow mixing to be considered when determining a water quality based National Pollutant Discharge Elimination System [(NPDES)] permit limit for nickel. *Id.*

The District specifically asks the Board to direct the Agency to revise the District’s NPDES permit in four ways. *Id.* at 2-3. The District states that “the proposed alternative to the existing

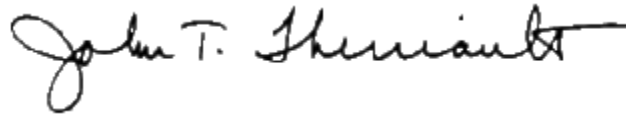
general use chronic water quality standard that would be based on nickel bioavailability is equally protective of aquatic life and stream use.” *Id.* at 3.

The District filed a motion (Mot.) to waive the requirement that it submit 200 signatures in support of its petition. The District states that granting the motion “is in the public interest” and notes that the Board has waived signature requirements for site-specific rulemakings in the past. Mot. at 3, 4 (citations omitted). The Board has not received any responses to the motion. The Board grants the District’s motion and waives the requirement to submit a petition signed by at least 200 persons.

The Board accepts the District’s proposal for hearing. The Board directs its assigned hearing officer to schedule and proceed to hearing under the rulemaking provisions of the Act and the Board’s procedural rules. 415 ILCS 5/27, 28 (2012); 35 Ill. Adm. Code 102.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 24, 2014, by a vote of 4-0.



---

John T. Therriault, Clerk  
Illinois Pollution Control Board