

ILLINOIS POLLUTION CONTROL BOARD  
April 1, 1982

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY )  
and METROPOLITAN SANITARY DISTRICT OF )  
GREATER CHICAGO, )  
 )  
Complainants, )  
 )  
v. ) PCB 75-11  
 )  
REPUBLIC STEEL CORPORATION, )  
a New Jersey Corporation, )  
 )  
Respondent. )

JUDITH GOODIE, ASSISTANT ATTORNEY GENERAL, APPEARED ON BEHALF OF THE E.P.A.

PHILIP ROTHENBERG, PRINCIPAL ASSISTANT ATTORNEY, APPEARED ON BEHALF OF THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO.

J. BRIAN CROWLEY, BOODELL, SEARS, SUGRUE, GIAMBALVO & CROWLEY, APPEARED ON BEHALF OF REPUBLIC STEEL CORPORATION.

OPINION AND ORDER OF THE BOARD (by I. Goodman):

This matter comes before the Board on the January 8, 1975 Complaint brought by the Illinois Environmental Protection Agency (Agency) and the Metropolitan Sanitary District of Greater Chicago (District). The Complaint alleged that, from April 7, 1972 until January 8, 1975, the Respondent discharged treated wastewaters containing cyanide in excess of 0.025 mg/l from the by-product recovery system of its coke plant to a public sewer owned by the District in violation of Rule 703(a) of Chapter 3: Water Pollution Regulations (Chapter 3) and Section 12(a) of the Illinois Environmental Protection Act (Act). On January 30, 1975, Republic Steel Corporation (Republic) filed a Motion to Stay Enforcement Proceedings pending the outcome of two consolidated regulatory proposals in R 74-15, 16 to amend the cyanide sewer discharge limitations. On February 6, 1975, the Board entered an Order granting Respondent's motion to stay. The Agency filed a Motion to Consolidate PCB 75-11 with a pending variance case in PCB 74-481 (Republic Steel Corporation v. EPA) on February 6, 1975. On March 13, 1975, the Board entered an Order denying the Agency's motion to consolidate. An Amended Complaint was filed on March 24, 1975. On November 30, 1978, the Board entered an Order vacating the stay of the enforcement action in PCB 75-11. On February 17, 1982, a hearing was held and the parties filed a Stipulation and Proposal for Settlement.

Republic owns and operates a steel mill at 11600 Burley Avenue in Chicago, Cook County, Illinois which employs about 6,000 people. Republic's integrated facilities also include a coke plant which generates gases that contain oils, ammonia, phenol and cyanide. These gases are treated in a by-product recovery system which discharges wastewaters to a sewer owned by the City of Chicago and then to a sewer owned by the District. It is stipulated that Republic: (1) discharged wastewaters containing total cyanide in excess of 0.025 mg/l into the District's sewer from April 7, 1972 until June 30, 1974; (2) installed a blast furnace wastewater recycle system and a rolling mill recycle system in an attempt to limit cyanide discharges; and (3) significantly reduced the levels of cyanide discharges by the end of 1978 due to its compliance efforts. (Stip. 2-4; Ex. A & B).

In May of 1979, the Respondent completed the installation of all equipment necessary to treat its wastewater discharge to fully comply with all applicable regulations pertaining to cyanide levels. (Stip. 4). The Respondent has described its cyanide treatment program as follows:

"Republic has determined that most of its readily releasable cyanide discharge originates primarily in the barometric condenser water discharge from the ammonium sulfate production operation. The flow from the barometric condenser is about 300 gallons per minute, with a cyanide concentration approaching 40 mg/l total cyanide...to treat this discharge separately to reduce the cyanide in the combined discharge to the MSD sewer by means of chemical oxidation and aeration in a mixing tank...the barometric condenser water is pumped to a 15,000 gallon holding tank where it is aerated and mixed with a chemical oxidant such as hydrogen peroxide or sodium hypochlorite. The oxidant will be pumped from a separate oxidizer tank and mixed by aeration to oxidize and remove the cyanide from the barometric condenser discharge. Anticipated flow rates give the discharge water a 50 minute residence time in the holding tank, from which it drains to the sewer." (Stip., Ex. C).

The parties have stipulated as to the effectiveness of the Respondent's cyanide treatment program and have submitted test results to demonstrate compliance with both Rule 703(a) of Chapter 3 and with the District's Sewage and Waste Control Ordinance. (Stip. 4; Ex. D). The proposed settlement agreement provides that Republic shall cease and desist from further violations, pay the District \$5,000 for costs incurred, and pay a stipulated penalty of \$5,000. (Stip. 4-5). The Board finds the settlement agreement acceptable under Procedural Rule 331 and Section 33(c) of the Act and finds that the Respondent has violated Rule 703(a) of Chapter 3 and Section 12(a) of the Act. Republic will be ordered to cease and desist from further violations and to pay the stipulated penalty of \$5,000.

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

ORDER

1. The Respondent, Republic Steel Corporation, has violated Rule 703(a) of Chapter 3: Water Pollution Regulations and Section 12(a) of the Illinois Environmental Protection Act.

2. The Respondent shall cease and desist from further violations.

3. Within 30 days of the date of this Order, the Respondent shall, by certified check or money order payable to the State of Illinois, pay the stipulated penalty of \$5,000 which is to be sent to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2200 Churchill Road  
Springfield, Illinois 62706

4. The Respondent shall comply with all the terms and conditions of the Stipulation and Proposal for Settlement filed on February 17, 1982, which is incorporated by reference as if fully set forth herein.

Mrs. Joan Anderson abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order were adopted on the 13<sup>th</sup> day of April, 1982 by a vote of 3-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board