

ILLINOIS POLLUTION CONTROL BOARD  
November 21, 1985

|                              |   |            |
|------------------------------|---|------------|
| COMMONWEALTH EDISON COMPANY, | ) |            |
|                              | ) |            |
| Petitioner,                  | ) | PCB 85-162 |
|                              | ) | and        |
| v.                           | ) | PCB 85-194 |
|                              | ) |            |
| ILLINOIS ENVIRONMENTAL       | ) |            |
| PROTECTION AGENCY,           | ) |            |
|                              | ) |            |
| Respondent.                  | ) |            |

OPINION AND ORDER OF THE BOARD (by W. J. Nega);

PCB 85-194 is a provisional variance extension request which comes before the Board upon a November 21, 1985 Recommendation of the Illinois Environmental Protection Agency (Agency). The Agency recommends that a 10-day provisional variance extension for the time period from November 30, 1985 until December 9, 1985 be granted to Commonwealth Edison Company from 35 Ill. Adm. Code 304.124 as it pertains to total suspended solids (TSS) and oil while necessary repairs are being made to the Miscellaneous Wastewater Treatment Facility (MWWTP) at the Petitioner's Zion Generating Station. (Rec. 1). The Board previously granted the Petitioner a 30-day provisional variance in PCB 85-162 on October 24, 1985, (See: Opinion and Order of October 24, 1985 and Order of November 21, 1985 in PCB 85-162, Commonwealth Edison Company v. IEPA). In PCB 85-162, the Petitioner requested interim effluent limitations of 75 milligrams per liter (mg/l) TSS and 75 mg/l oil during the time period that repairs and maintenance operations are performed.

PCB 85-162: Modification

On October 29, 1985, Commonwealth Edison Company filed a Petition to Modify Board Order which requested that the Board modify its Order of October 24, 1985, so that the period of the 30-day provisional variance commences on October 31, 1985, rather than on October 24, 1985, to coincide with the start of repairs on the Petitioner's Miscellaneous Wastewater Treatment Facility.

Although the Agency filed no formal written response to the Petitioner's motion, the Agency attorney handling this case orally represented to the Board that the Agency has "no objection" to the requested modification. Additionally, the Agency's provisional variance extension recommendation to extend, for 10 days, the provisional variance previously granted in PCB 85-162, implicitly demonstrates that the Agency approves of the Petitioner's proposed modification of the October 24, 1985 Order in PCB 85-162.

PCB 85-194: Extension

Commonwealth Edison Company owns and operates the Zion Generating Station which is a nuclear-fueled steam electric generating station located on Lake Michigan in Zion, Illinois. Station wastewaters going to its Miscellaneous Wastewater Treatment Facility consist of (1) the fire sump discharge, and (2) station roof drainage. The fire sump discharge includes demineralizer filter backwash, turbine building floor and equipment drains, foundation seepage, auxiliary boiler blowdown, demineralized regenerate wastes, and secondary system monitoring drains. Treatment is customarily provided by a flow equalization basin, flocculator/clarifiers, and filters. These flows average 0.21 million gallons per day (MGD) and effluent is discharged into Lake Michigan.

The Petitioner is currently required by its NPDES Permit #IL0002763 to meet effluent limitations of 15 mg/l TSS on a 30 day average with a 30 mg/l daily maximum and 15 mg/l oil with a 20 mg/l daily maximum for its discharge.

The Petitioner's NPDES Permit has not historically required sampling for TSS and oil at outfall 001a. However, NPDES Permit #1IL0002763 has been reissued and became effective on October 30, 1985. In this reissued NPDES Permit, the miscellaneous waste discharge has been segregated from the condenser cooling water discharge of Outfall 001 and sampling for total suspended solids and oil are now mandated.

During the time period that the Miscellaneous Wastewater Treatment Facility is being repaired, the Petitioner is rerouting wastewaters from the station fire sump to the Unit 1 oil/water separator. This oil/water separator, which is currently designated as outfall 001e in the reissued NPDES Permit, is ordinarily used for treating parking lot runoff and, as presently configured, does not permit effluent sampling. However, Commonwealth Edison believes that this oil/water separator can reduce the oil content of the discharge by as much as 80%. Commonwealth Edison intends to remove oily sludges from the bottom of its equalization basin which have accumulated over a period of time to a depth of between three to five feet.

Because the flows are mixed with the Unit 1 condenser cooling water discharge (about 1200 MGD) and since oil booms will be used throughout the Petitioner's plant to contain any extraneous oil which may escape, the Agency believes that the environmental impact of the discharge from the Unit 1 oil/water separator will be minimal.

During an inspection of the Petitioner's wastewater treatment equipment, a cracked shaft was discovered. Prior to the commencement of its other repairs, the Petitioner was unaware that this shaft needed replacement. Expeditious replacement of

this shaft is necessary to assure the proper operation of Commonwealth Edison's MWWTP. (Rec. 1).

Based on the necessity of the cracked shaft repairs to return the Petitioner's facility to proper operating condition, the short time period of the proposed extension, the minimization of down time, and upon the treatment to be provided in the interim period while maintenance and repair work are being completed, the Agency believes that a provisional variance extension is appropriate in the present case.

The Agency has therefore concluded that compliance with the total suspended solids standards would impose an arbitrary or unreasonable hardship upon Commonwealth Edison Company. Accordingly, the Agency has recommended that the Board grant the Petitioner a provisional variance extension from 35 Ill. Adm. Code 304.124 as it pertains to total suspended solids and oil, subject to certain specified conditions. On the other hand, in another portion of the Recommendation, the Agency argues that under federal law the Board is precluded from granting the requested variance from the oil effluent limitations and has not recommended that such relief be granted. The Board has denied that relief on the basis of this argument, and has corrected the Recommendation's internal inconsistency by deleting the grant of variance from oil [see paragraph B(1) below].

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

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

#### ORDER

A. Paragraph 1 of the October 24, 1985 Order in PCB 85-162 is modified to read as follows:

1. This provisional variance shall commence on October 31, 1985 and shall continue for a period of 30 days, or upon the completion of repairs to the Miscellaneous Wastewater Treatment Facility, whichever occurs first.

B. Commonwealth Edison Company is hereby granted an extension of its provisional variance from 35 Ill Adm. Code 304.124 as it pertains to total suspended solids while necessary repair and maintenance work is being done at the Miscellaneous Wastewater Treatment Facility at its Zion Generating Station, subject to the following conditions:

1. This extension of its provisional variance shall commence on November 30, 1985 and shall terminate upon the completion of repairs to the Miscellaneous Wastewater Treatment Facility, or on December 9, 1985, whichever occurs first.

2. The Petitioner shall take all steps possible to minimize regenerative wastewater, as outlined in its initial petition for provisional variance.

3. The Petitioner shall install oil booms, or similar oil collection devices, throughout the station to minimize oil from entering the wastewater system.

4. The process flows shall be routed through the Unit 1 Oil/Water Separator for treatment prior to discharge.

5. The Petitioner shall sample the contents of the fire sump and at a point as representative as possible of the discharge of the oil/water separator. Grab samples shall be collected daily and analyzed for total suspended solids and oil.

6. The Petitioner's effluent shall be limited, during the term of this provisional variance, as follows:

|                        | <u>Daily Maximum</u> | <u>30 Day Average</u> |
|------------------------|----------------------|-----------------------|
| Total Suspended Solids | 100 mg/l             | 30.0 mg/l             |

7. The Petitioner's effluent shall meet all other effluent limitations as outlined in its NPDES Permit #IL0002763.

8. The Petitioner's request for relief from oil effluent limitations is hereby denied as beyond the Board's authority.

9. The Petitioner shall dispose of its sludges from the Miscellaneous Wastewater Treatment Facility in accordance with the appropriate State regulations and shall obtain the proper permits for its disposal.

10. The Petitioner shall notify, by telephone, the Agency's Maywood Regional Office when repairs to the Miscellaneous Wastewater Treatment Facility are completed. This notification shall be made within 24 hours of the completion of the repairs and written notification of the completion shall be sent to:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Compliance Assurance Section  
2200 Churchill Road  
Springfield, Illinois 62706  
Attention: Mr. Roger Cruse

11. Within 10 days of the date of the Board's Order, the Petitioner shall execute a Certification of Acceptance and Agreement which shall be sent to Mr. James Frost of the Agency at the following address:

Mr. James Frost  
Illinois Environmental Protection Agency  
Division of Water Pollution Control  
Compliance Assurance Section  
2200 Churchill Road  
Springfield, Illinois 62706

This certification shall have the following form:

I, (We), \_\_\_\_\_, having read the Order of the Illinois Pollution Control Board in PCB 85-194, dated November 21, 1985, 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

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 21<sup>st</sup> day of November, 1985 by a vote of 7-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board