

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

|                                      |   |                                |
|--------------------------------------|---|--------------------------------|
| VILLAGE OF HOMEWOOD,                 | ) |                                |
| HOMEWOOD ILLINOIS, VILLAGE OF        | ) |                                |
| ORLAND PARK, ORLAND PARK             | ) | PCB 16-14 (Homewood)           |
| ILLINOIS, VILLAGE OF MIDLOTHIAN,     | ) | PCB 16-15 (Orland Park)        |
| MIDLOTHIAN ILLINOIS, VILLAGE OF      | ) | PCB 16-16 (Midlothian)         |
| TINLEY PARK, TINLEY PARK ILLINOIS,   | ) | PCB 16-17 (Tinley Park)        |
| EXXONMOBIL OIL CORPORATION,          | ) | PCB 16-18 (ExxonMobil)         |
| VILLAGE OF WILMETTE, WILMETTE        | ) | PCB 16-20 (Wilmette)           |
| ILLINOIS, CITY OF COUNTRY CLUB       | ) | PCB 16-21 (Country Club Hills) |
| HILLS, COUNTRY CLUB HILLS ILLINOIS,  | ) | PCB 16-22 (Noramco-Chicago)    |
| NORAMCO-CHICAGO, INC.,               | ) | PCB 16-23 (INEOS)              |
| INEOS JOLIET, LLC, CITY OF EVANSTON, | ) | PCB 16-25 (Evanston)           |
| EVANSTON ILLINOIS, VILLAGE OF        | ) | PCB 16-26 (Skokie)             |
| SKOKIE, SKOKIE ILLINOIS, ILLINOIS    | ) | PCB 16-27 (IDOT)               |
| DEPARTMENT OF TRANSPORTATION,        | ) | PCB 16-29 (MWRDGC)             |
| METROPOLITAN                         | ) | PCB 16-30 (Richton Park)       |
| WATER RECLAMATION DISTRICT OF        | ) | PCB 16-31 (Lincolnwood)        |
| GREATER CHICAGO, VILLAGE OF          | ) | PCB 16-33 (Oak Forest)         |
| RICHTON PARK, RICHTON PARK           | ) | PCB 19-7 (Village of Lynwood)  |
| ILLINOIS, VILLAGE OF LINCOLNWOOD,    | ) | PCB 19-8 (Citgo Holdings)      |
| LINCOLNWOOD ILLINOIS, CITY OF OAK    | ) | PCB 19-9 (New Lenox)           |
| FOREST, OAK FOREST ILLINOIS,         | ) | PCB 19-10 (Lockport)           |
| VILLAGE OF LYNWOOD, LYNWOOD          | ) | PCB 19-12 (Crest Hill)         |
| ILLINOIS, CITGO HOLDINGS, INC.,      | ) | PCB 19-13 (Joliet)             |
| VILLAGE OF NEW LENOX, NEW LENOX      | ) | PCB 19-14 (Morton Salt)        |
| ILLINOIS, CITY OF LOCKPORT,          | ) | PCB 19-15 (Palos Heights)      |
| LOCKPORT ILLINOIS,                   | ) | PCB 19-16 (Romeoville)         |
| CITY OF CREST HILL, CREST HILL       | ) | PCB 19-17 (IMTT Illinois)      |
| ILLINOIS, CITY OF JOLIET, JOLIET     | ) | PCB 19-18 (Stepan)             |
| ILLINOIS, MORTON SALT, INC., CITY OF | ) | PCB 19-19 (Park Forest)        |
| PALOS HEIGHTS, PALOS HEIGHTS         | ) | PCB 19-20 (Ozinga Ready Mix)   |
| ILLINOIS, VILLAGE OF ROMEOVILLE,     | ) | PCB 19-21 (Ozinga Materials)   |
| ROMEOVILLE ILLINOIS, IMTT ILLINOIS   | ) | PCB 19-22 (Midwest Marine)     |
| LLC, STEPAN CO., VILLAGE OF PARK     | ) | PCB 19-23 (Mokena)             |
| FOREST, PARK FOREST ILLINOIS,        | ) | PCB 19-24 (Oak Lawn)           |
| OZINGA READY MIX CONCRETE, INC.,     | ) | PCB 19-25 (Doton)              |
| OZINGA MATERIALS, INC., MIDWEST      | ) | PCB 19-26 (Glenwood)           |
| MARINE TERMINALS LLC, VILLAGE OF     | ) | PCB 19-27 (Morton Grove)       |
| MOKENA, MOKENA ILLINOIS, VILLAGE     | ) | PCB 19-28 (Lansing)            |
| OF OAK LAWN, OAK LAWN ILLINOIS,      | ) | PCB 19-29 (Frankfort)          |
|                                      | ) |                                |

|                                    |   |                             |
|------------------------------------|---|-----------------------------|
| VILLAGE OF DOTON, DOTON            | ) | PCB 19-30 (Winnetka)        |
| ILLINOIS, VILLAGE OF GLENWOOD,     | ) | PCB 19-31 (La Grange)       |
| GLENWOOD ILLINOIS, VILLAGE OF      | ) | PCB 19-32 (Ingredion)       |
| MORTON GROVE, MORTON GROVE         | ) | PCB 19-33 (Channahon)       |
| ILLINOIS, VILLAGE OF LANSING,      | ) | PCB 19-34 (CCDTH)           |
| LANSING ILLINOIS, VILLAGE OF       | ) | PCB 19-35 (Niles)           |
| FRANKFORT, FRANKFORT ILLINOIS,     | ) | PCB 19-36 (Skyway)          |
| VILLAGE OF WINNETKA, WINNETKA      | ) | PCB 19-37 (Elwood)          |
| ILLINOIS, VILLAGE OF LA GRANGE,    | ) | PCB 19-38 (Chicago)         |
| LA GRANGE ILLINOIS, INGREDION,     | ) | PCB 19-40 (Crestwood)       |
| INC., VILLAGE OF CHANNAHON,        | ) | PCB 19-48 (Riverside)       |
| CHANNAHON ILLINOIS, COOK           | ) |                             |
| COUNTY DEPARTMENT OF               | ) | (Time-Limited Water Quality |
| TRANSPORTATION AND HIGHWAYS,       | ) | Standard)                   |
| VILLAGE OF NILES, NILES ILLINOIS,  | ) |                             |
| SKYWAY CONCESSION COMPANY          | ) | (Consolidated)              |
| LLC, VILLAGE OF ELWOOD, ELWOOD     | ) |                             |
| ILLINOIS, CITY OF CHICAGO, CHICAGO | ) |                             |
| ILLINOIS, VILLAGE OF CRESTWOOD,    | ) |                             |
| CRESTWOOD ILLINOIS and VILLAGE     | ) |                             |
| OF RIVERSIDE, RIVERSIDE ILLINOIS,  | ) |                             |
|                                    | ) |                             |
| Petitioners,                       | ) |                             |
|                                    | ) |                             |
| v.                                 | ) |                             |
|                                    | ) |                             |
| ILLINOIS ENVIRONMENTAL             | ) |                             |
| PROTECTION AGENCY,                 | ) |                             |
|                                    | ) |                             |
| Respondent.                        | ) |                             |

**NOTICE OF FILING**

|                                      |                                      |
|--------------------------------------|--------------------------------------|
| TO: Don Brown                        | Brad Halloran                        |
| Clerk of the Board                   | Hearing Officer                      |
| Illinois Pollution Control Board     | Illinois Pollution Control Board     |
| 100 W. Randolph Street, Suite 11-500 | 100 W. Randolph Street, Suite 11-500 |
| Chicago, Illinois 60601              | Chicago, Illinois 60601              |
| <b>(VIA ELECTRONIC MAIL)</b>         | <b>(VIA ELECTRONIC MAIL)</b>         |

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an **ENTRY OF APPEARANCE OF MELISSA S. BROWN and PRE-FILED QUESTIONS OF ILLINOIS EPA WITNESSES SUBMITTED BY THE**

**ILLINOIS ENVIRONMENTAL REGULATORY GROUP** a copy of which is herewith served upon you.

Respectfully submitted,

Dated: February 13, 2020

By:           /s/ Melissa S. Brown            
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

I, the undersigned, on oath state the following:

That I have served the attached **ENTRY OF APPEARANCE OF MELISSA S.**

**BROWN and PRE-FILED QUESTIONS OF ILLINOIS EPA WITNESSES SUBMITTED**

**BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP** via electronic mail

upon:

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| ILLINOIS, VILLAGE OF LINCOLNWOOD,    | ) | PCB 19-8 (Citgo Holdings)      |
| LINCOLNWOOD ILLINOIS, CITY OF OAK    | ) | PCB 19-9 (New Lenox)           |
| FOREST, OAK FOREST ILLINOIS,         | ) | PCB 19-10 (Lockport)           |
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| ILLINOIS, CITY OF LOCKPORT,          | ) | PCB 19-15 (Palos Heights)      |
| LOCKPORT ILLINOIS,                   | ) | PCB 19-16 (Romeoville)         |
| CITY OF CREST HILL, CREST HILL       | ) | PCB 19-17 (IMTT Illinois)      |
| ILLINOIS, CITY OF JOLIET, JOLIET     | ) | PCB 19-18 (Stepan)             |
| ILLINOIS, MORTON SALT, INC., CITY OF | ) | PCB 19-19 (Park Forest)        |
| PALOS HEIGHTS, PALOS HEIGHTS         | ) | PCB 19-20 (Ozinga Ready Mix)   |
| ILLINOIS, VILLAGE OF ROMEOVILLE,     | ) | PCB 19-21 (Ozinga Materials)   |
| ROMEOVILLE ILLINOIS, IMTT ILLINOIS   | ) | PCB 19-22 (Midwest Marine)     |
| LLC, STEPAN CO., VILLAGE OF PARK     | ) | PCB 19-23 (Mokena)             |
| FOREST, PARK FOREST ILLINOIS,        | ) | PCB 19-24 (Oak Lawn)           |
| OZINGA READY MIX CONCRETE, INC.,     | ) | PCB 19-25 (Doton)              |
| OZINGA MATERIALS, INC., MIDWEST      | ) | PCB 19-26 (Glenwood)           |
| MARINE TERMINALS LLC, VILLAGE OF     | ) | PCB 19-27 (Morton Grove)       |
| MOKENA, MOKENA ILLINOIS, VILLAGE     | ) | PCB 19-28 (Lansing)            |
| OF OAK LAWN, OAK LAWN ILLINOIS,      | ) | PCB 19-29 (Frankfort)          |
|                                      | ) |                                |

|                                    |   |                             |
|------------------------------------|---|-----------------------------|
| VILLAGE OF DOTON, DOTON            | ) | PCB 19-30 (Winnetka)        |
| ILLINOIS, VILLAGE OF GLENWOOD,     | ) | PCB 19-31 (La Grange)       |
| GLENWOOD ILLINOIS, VILLAGE OF      | ) | PCB 19-32 (Ingredion)       |
| MORTON GROVE, MORTON GROVE         | ) | PCB 19-33 (Channahon)       |
| ILLINOIS, VILLAGE OF LANSING,      | ) | PCB 19-34 (CCDTH)           |
| LANSING ILLINOIS, VILLAGE OF       | ) | PCB 19-35 (Niles)           |
| FRANKFORT, FRANKFORT ILLINOIS,     | ) | PCB 19-36 (Skyway)          |
| VILLAGE OF WINNETKA, WINNETKA      | ) | PCB 19-37 (Elwood)          |
| ILLINOIS, VILLAGE OF LA GRANGE,    | ) | PCB 19-38 (Chicago)         |
| LA GRANGE ILLINOIS, INGREDION,     | ) | PCB 19-40 (Crestwood)       |
| INC., VILLAGE OF CHANNAHON,        | ) | PCB 19-48 (Riverside)       |
| CHANNAHON ILLINOIS, COOK           | ) |                             |
| COUNTY DEPARTMENT OF               | ) | (Time-Limited Water Quality |
| TRANSPORTATION AND HIGHWAYS,       | ) | Standard)                   |
| VILLAGE OF NILES, NILES ILLINOIS,  | ) |                             |
| SKYWAY CONCESSION COMPANY          | ) | (Consolidated)              |
| LLC, VILLAGE OF ELWOOD, ELWOOD     | ) |                             |
| ILLINOIS, CITY OF CHICAGO, CHICAGO | ) |                             |
| ILLINOIS, VILLAGE OF CRESTWOOD,    | ) |                             |
| CRESTWOOD ILLINOIS and VILLAGE     | ) |                             |
| OF RIVERSIDE, RIVERSIDE ILLINOIS,  | ) |                             |
|                                    | ) |                             |
| Petitioners,                       | ) |                             |
|                                    | ) |                             |
| v.                                 | ) |                             |
|                                    | ) |                             |
| ILLINOIS ENVIRONMENTAL             | ) |                             |
| PROTECTION AGENCY,                 | ) |                             |
|                                    | ) |                             |
| Respondent.                        | ) |                             |

**APPEARANCE**

NOW COMES Melissa S. Brown, of the law firm HeplerBroom, LLC, and hereby enters her appearance in this matter on behalf of the Illinois Environmental Regulatory Group.

Respectfully submitted,

Dated: February 13, 2020

By: /s/ Melissa S. Brown  
Melissa S. Brown

Melissa S. Brown  
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

|                                      |   |                                |
|--------------------------------------|---|--------------------------------|
| VILLAGE OF HOMEWOOD,                 | ) | PCB 16-14 (Homewood)           |
| HOMEWOOD ILLINOIS, VILLAGE OF        | ) | PCB 16-15 (Orland Park)        |
| ORLAND PARK, ORLAND PARK             | ) | PCB 16-16 (Midlothian)         |
| ILLINOIS, VILLAGE OF MIDLOTHIAN,     | ) | PCB 16-17 (Tinley Park)        |
| MIDLOTHIAN ILLINOIS, VILLAGE OF      | ) | PCB 16-18 (ExxonMobil)         |
| TINLEY PARK, TINLEY PARK ILLINOIS,   | ) | PCB 16-20 (Wilmette)           |
| EXXONMOBIL OIL CORPORATION,          | ) | PCB 16-21 (Country Club Hills) |
| VILLAGE OF WILMETTE, WILMETTE        | ) | PCB 16-22 (Noramco-Chicago)    |
| ILLINOIS, CITY OF COUNTRY CLUB       | ) | PCB 16-23 (INEOS Joliet)       |
| HILLS, COUNTRY CLUB HILLS ILLINOIS,  | ) | PCB 16-25 (Evanston)           |
| NORAMCO-CHICAGO, INC.,               | ) | PCB 16-26 (Skokie)             |
| INEOS JOLIET, LLC, CITY OF EVANSTON, | ) | PCB 16-27 (IDOT)               |
| EVANSTON ILLINOIS, VILLAGE OF        | ) | PCB 16-29 (MWRDGC)             |
| SKOKIE, SKOKIE ILLINOIS, ILLINOIS    | ) | PCB 16-30 (Richton Park)       |
| DEPARTMENT OF TRANSPORTATION,        | ) | PCB 16-31 (Lincolnwood)        |
| METROPOLITAN                         | ) | PCB 16-33 (Oak Forest)         |
| WATER RECLAMATION DISTRICT OF        | ) | PCB 19-7 (Village of Lynwood)  |
| GREATER CHICAGO, VILLAGE OF          | ) | PCB 19-8 (Citgo Holdings)      |
| RICHTON PARK, RICHTON PARK           | ) | PCB 19-9 (New Lenox)           |
| ILLINOIS, VILLAGE OF LINCOLNWOOD,    | ) | PCB 19-10 (Lockport)           |
| LINCOLNWOOD ILLINOIS, CITY OF OAK    | ) | PCB 19-12 (Crest Hill)         |
| FOREST, OAK FOREST ILLINOIS,         | ) | PCB 19-13 (Joliet)             |
| VILLAGE OF LYNWOOD, LYNWOOD          | ) | PCB 19-14 (Morton Salt)        |
| ILLINOIS, CITGO HOLDINGS, INC.,      | ) | PCB 19-15 (Palos Heights)      |
| VILLAGE OF NEW LENOX, NEW LENOX      | ) | PCB 19-16 (Romeoville)         |
| ILLINOIS, CITY OF LOCKPORT,          | ) | PCB 19-17 (IMTT Illinois)      |
| LOCKPORT ILLINOIS,                   | ) | PCB 19-18 (Stepan)             |
| CITY OF CREST HILL, CREST HILL       | ) | PCB 19-19 (Park Forest)        |
| ILLINOIS, CITY OF JOLIET, JOLIET     | ) | PCB 19-20 (Ozinga Ready Mix)   |
| ILLINOIS, MORTON SALT, INC., CITY OF | ) | PCB 19-21 (Ozinga Materials)   |
| PALOS HEIGHTS, PALOS HEIGHTS         | ) | PCB 19-22 (Midwest Marine)     |
| ILLINOIS, VILLAGE OF ROMEOVILLE,     | ) | PCB 19-23 (Mokena)             |
| ROMEOVILLE ILLINOIS, IMTT ILLINOIS   | ) | PCB 19-24 (Oak Lawn)           |
| LLC, STEPAN CO., VILLAGE OF PARK     | ) | PCB 19-25 (Doton)              |
| FOREST, PARK FOREST ILLINOIS,        | ) | PCB 19-26 (Glenwood)           |
| OZINGA READY MIX CONCRETE, INC.,     | ) | PCB 19-27 (Morton Grove)       |
| OZINGA MATERIALS, INC., MIDWEST      | ) | PCB 19-28 (Lansing)            |
| MARINE TERMINALS LLC, VILLAGE OF     | ) | PCB 19-29 (Frankfort)          |
| MOKENA, MOKENA ILLINOIS, VILLAGE     | ) |                                |
| OF OAK LAWN, OAK LAWN ILLINOIS,      | ) |                                |

|                                    |   |                             |
|------------------------------------|---|-----------------------------|
| VILLAGE OF DOTON, DOTON            | ) | PCB 19-30 (Winnetka)        |
| ILLINOIS, VILLAGE OF GLENWOOD,     | ) | PCB 19-31 (La Grange)       |
| GLENWOOD ILLINOIS, VILLAGE OF      | ) | PCB 19-32 (Ingredion)       |
| MORTON GROVE, MORTON GROVE         | ) | PCB 19-33 (Channahon)       |
| ILLINOIS, VILLAGE OF LANSING,      | ) | PCB 19-34 (CCDTH)           |
| LANSING ILLINOIS, VILLAGE OF       | ) | PCB 19-35 (Niles)           |
| FRANKFORT, FRANKFORT ILLINOIS,     | ) | PCB 19-36 (Skyway)          |
| VILLAGE OF WINNETKA, WINNETKA      | ) | PCB 19-37 (Elwood)          |
| ILLINOIS, VILLAGE OF LA GRANGE,    | ) | PCB 19-38 (Chicago)         |
| LA GRANGE ILLINOIS, INGREDION,     | ) | PCB 19-40 (Crestwood)       |
| INC., VILLAGE OF CHANNAHON,        | ) | PCB 19-48 (Riverside)       |
| CHANNAHON ILLINOIS, COOK           | ) |                             |
| COUNTY DEPARTMENT OF               | ) | (Time-Limited Water Quality |
| TRANSPORTATION AND HIGHWAYS,       | ) | Standard)                   |
| VILLAGE OF NILES, NILES ILLINOIS,  | ) |                             |
| SKYWAY CONCESSION COMPANY          | ) | (Consolidated)              |
| LLC, VILLAGE OF ELWOOD, ELWOOD     | ) |                             |
| ILLINOIS, CITY OF CHICAGO, CHICAGO | ) |                             |
| ILLINOIS, VILLAGE OF CRESTWOOD,    | ) |                             |
| CRESTWOOD ILLINOIS and VILLAGE     | ) |                             |
| OF RIVERSIDE, RIVERSIDE ILLINOIS,  | ) |                             |
|                                    | ) |                             |
| Petitioners,                       | ) |                             |
|                                    | ) |                             |
| v.                                 | ) |                             |
|                                    | ) |                             |
| ILLINOIS ENVIRONMENTAL             | ) |                             |
| PROTECTION AGENCY,                 | ) |                             |
|                                    | ) |                             |
| Respondent.                        | ) |                             |

**PRE-FILED QUESTIONS OF ILLINOIS EPA WITNESSES SUBMITTED BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**

NOW COMES the Illinois Environmental Regulatory Group (“IERG”), by and through its attorneys, HEPLERBROOM, LLC, and pursuant to the Illinois Pollution Control Board’s (“Board”) Hearing Officer Order of December 17, 2019, submits the following Pre-Filed Questions of Illinois Environmental Protection Agency (“Illinois EPA”) witnesses. These questions are submitted to Illinois EPA as a required participant in this proceeding pursuant to the Board’s rules in 35 Ill. Adm. Code Part 104, Subpart E.

**I. Discussions with USEPA**

1. Please summarize any feedback from the United States Environmental Protection Agency (“USEPA”) Region 5 as to Illinois EPA’s Recommendation filed on April 15, 2019 and the Board’s proposed time-limited water quality standard (“TLWQS”) language contained in Question #20 of the Board’s Questions dated July 24, 2019.

2. In Illinois EPA’s Response to the Board’s July 24, 2019 Questions, Illinois EPA stated: “Also, it is the Agency’s understanding a workgroup is needed, so that USEPA will approve the time-limited water quality standard.” Please explain the basis for Illinois EPA’s understanding that a workgroup requirement is necessary in order for USEPA to approve the TLWQS.

3. Has USEPA Region 5 identified any approvability issues as to the proposed TLWQS? If so, please identify these issues and summarize the discussion(s) with USEPA as to all such issues.

**II. Workgroup(s)**

4. Identify the Board’s authority for imposing a workgroup requirement in issuing a TLWQS, and also identify Illinois EPA’s authority for incorporating a workgroup requirement into an NPDES permit.

5. Is Illinois EPA aware of any precedent for a workgroup requirement for implementing watershed variances? Are other states with recent multi-discharger variances (e.g., Montana, Wisconsin, Indiana) relying on workgroup(s) for implementation of the multi-discharger variance?

6. Per Illinois EPA’s Recommendation dated April 5, 2019, the proposed workgroup(s) will be responsible for certain education and outreach functions.

- a. Traditionally, wouldn't Illinois EPA or another agency (i.e., the Illinois Department of Natural Resources) carry out the responsibilities proposed and envisioned for the workgroup(s)?
- b. Because environmental education and outreach is traditionally a responsibility of the Illinois EPA, please provide examples of other programs, either in Illinois or other states, where the regulated entities are responsible for education and outreach functions as a condition of compliance.

7. In its Response to the Board's July 24, 2019 Questions, Illinois EPA stated: "The decision to participate is ultimately up to the discharger. However, one needs to participate in a work group to receive a time-limited water quality standard."

- a. Why is participation in a workgroup a mandatory condition for receiving coverage under the TLWQS?
- b. Can a discharger be covered under this TLWQS without being a member of a workgroup?

8. How does Illinois EPA define participation in the workgroup(s)?

9. What is the specific purpose of the workgroup(s)?

10. If the Board does not require the formation of a workgroup as a condition of this TLWQS, how could Illinois EPA's proposed objectives of the workgroup(s) be met in its absence? And by whom?

11. How does Illinois EPA envision interacting with the workgroup(s)?

12. Clarify what Illinois EPA means by "All covered entities are individually responsible for ensuring the workgroup's success."

13. What recourse would a discharger covered under this TLWQS have if the workgroup is not adequately representing such discharger's interests?

**III. Offsets**

14. What is the Board's authority to require offsets on a site-specific basis?

15. Does Illinois EPA envision that offsets will be established through the permitting process? If so, please explain the process for establishing offsets.

16. Please provide any examples of an offset requirement that is similar to the envisioned offset requirement in this TLWQS, either in Illinois or other states.

17. Who does Illinois EPA envision the providers of the offsets required for new sources of chloride will be (point sources, nonpoint sources, etc.)? Please provide examples of envisioned providers of offsets.

18. In its Recommendation dated April 5, 2019, Illinois EPA recommends that "any discharger with a new source of chloride must offset at least their additional loading before receiving coverage under the TLWQS."

a. Please clarify what "new source of chloride" means.

b. Please clarify what the term "additional loading" means.

19. Per the Responses to the Board's July 24, 2019 Questions, Joint Petitioners believe that offsets should be obtainable from currently covered dischargers that have made quantifiable and verifiable reductions. Please provide additional explanation as to Illinois EPA's position, as stated in its Response to the Board's Questions, that "Dischargers will not be able to receive offsets from dischargers currently covered by the TLWQS. This would impact the available reductions that someone currently covered by the TLWQS would be able to make in the next round of BMPs mandated by the TLWQS."

20. What ratio of new sources of chlorides are offset by contributing to or hosting training programs?

21. Is it Illinois EPA's intent that offsets should be achieved by actions that are not considered part of the TLWQS best management practices ("BMPs")?

**IV. Miscellaneous**

22. Does Illinois EPA agree with the Joint Petitioners' forecast that the proposed BMPs "are not expected to result in compliance with the standards – certainly not at any point in the near future"?

23. If noncompliance with the underlying chlorides standard remains at the end of the proposed 15-year TLWQS, what does Illinois EPA foresee as any additional options available to the covered dischargers other than (a) renewing the TLWQS or (b) revising the underlying designated use and/or criterion?

24. If USEPA, and then subsequently the Board, revises the underlying chloride criteria to be more stringent, how does that affect this TLWQS?

IERG would like to thank the Board for the opportunity to submit these questions. In the event that adequate responses to the above questions cannot be provided at the scheduled hearing, IERG reserves the right to request an additional hearing or post-hearing procedures to

provide the opportunity to obtain full and complete responses to such questions and any follow-up questions.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
REGULATORY GROUP

Dated: February 13, 2020

By:           /s/ Melissa S. Brown            
One of Its Attorneys

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