

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

VILLAGE OF HOMEWOOD, HOMEWOOD	)	
ILLINOIS, VILLAGE OF ORLAND PARK,	)	
ORLAND PARK ILLINOIS, VILLAGE OF	)	
MIDLOTHIAN, MIDLOTHIAN ILLINOIS,	)	
VILLAGE OF TINLEY PARK, TINLEY PARK	)	
ILLINOIS, EXXONMOBIL OIL CORPORATION,	)	
VILLAGE OF WILMETTE, WILMETTE	)	
ILLINOIS, CITY OF COUNTRY CLUB HILLS,	)	
COUNTRY CLUB HILLS ILLINOIS, NORAMCO-	)	
CHICAGO, INC., FLINT HILLS RESOURCES	)	
JOLIET LLC, CITY OF EVANSTON, EVANSTON	)	PCB 16-14 (Homewood)
ILLINOIS, VILLAGE OF SKOKIE, SKOKIE	)	PCB 16-15 (Orland Park)
ILLINOIS, ILLINOIS DEPARTMENT OF	)	PCB 16-16 (Midlothian)
TRANSPORTATION, METROPOLITAN WATER	)	PCB 16-17 (Tinley Park)
RECLAMATION DISTRICT OF GREATER	)	PCB 16-18 (ExxonMobil)
CHICAGO, VILLAGE OF RICHTON PARK,	)	PCB 16-20 (Wilmette)
RICHTON PARK ILLINOIS, VILLAGE OF	)	PCB 16-21 (Country Club Hills)
LINCOLNWOOD, LINCOLNWOOD ILLINOIS,	)	PCB 16-22 (Noramco-Chicago)
CITY OF OAK FOREST, OAK FOREST	)	PCB 16-23 (Flint Hills
ILLINOIS, VILLAGE OF LYNWOOD,	)	Resources)
LYNWOOD ILLINOIS, CITGO HOLDINGS, INC.,	)	PCB 16-25 (Evanston)
VILLAGE OF NEW LENOX, NEW LENOX,	)	PCB 16-26 (Skokie)
ILLINOIS, CITY OF LOCKPORT, LOCKPORT	)	PCB 16-27 (IDOT)
ILLINOIS, CATERPILLAR, INC., CITY OF	)	PCB 16-29 (MWRDGC)
CREST HILL, CREST HILL ILLINOIS, CITY OF	)	PCB 16-30 (Richton Park)
JOLIET, JOLIET ILLINOIS, MORTON SALT,	)	PCB 16-31 (Lincolnwood)
INC., CITY OF PALOS HEIGHTS, PALOS	)	PCB 16-33 (Oak Forest)
HEIGHTS ILLINOIS, VILLAGE OF	)	PCB 19-7 (Village of Lynwood)
ROMEOVILLE, ROMEOVILLE ILLINOIS,	)	PCB 19-8 (Citgo Holdings)
IMTT ILLINOIS LLC, STEPAN CO.,	)	PCB 19-9 (New Lenox)
VILLAGE OF PARK FOREST, PARK FOREST	)	PCB 19-10 (Lockport)
ILLINOIS, OZINGA READY MIX CONCREATE,	)	PCB 19-11 (Caterpillar)
INC., OZINGA MATERIALS, INC., MIDWEST	)	PCB 19-12 (Crest Hill)
MARINE TERMINALS LLC. VILLAGE OF	)	PCB 19-13 (Joliet)
MOKENA, MOKENA ILLINOIS, VILLAGE OF	)	PCB 19-14 (Morton Salt)
OAK LAWN, OAK LAWN ILLINOIS, VILLAGE	)	PCB 19-15 (Palos Heights)
OF DOLTON, DOLTON ILLINOIS, VILLAGE OF	)	PCB 19-16 (Romeoville)
GLENWOOD, GLENWOOD ILLINOIS,	)	PCB 19-17 (IMTT Illinois)
VILLAGE OF MORTON GROVE, MORTON	)	PCB 19-18 (Stepan)
GROVE ILLINOIS, VILLAGE OF LANSING,	)	PCB 19-19 (Park Forest)
LANSING ILLINOIS, VILLAGE OF	)	PCB 19-20 (Ozinga Ready Mix)
FRANKFORT, FRANKFORT ILLINOIS,	)	PCB 19-21 (Ozinga Materials)
VILLAGE OF WINNETKA, WINNETKA	)	PCB 19-22 (Midwest Marine)
ILLINOIS, VILLAGE OF LA GRANGE, LA	)	PCB 19-23 (Mokena)
GRANGE ILLINOIS, INOREDION, INC.,	)	PCB 19-24 (Oak Lawn)
VILLAGE OF CHANNAHON, CHANNAHON	)	PCB 19-25 (Dolton)
ILLINOIS, COOK COUNTY DEPARTMENT	)	PCB 19-26 (Glenwood)
OF TRANSPORTATION AND HIGHWAYS,	)	PCB 19-27 (Morton Grove)
VILLAGE OF NILES, NILES ILLINOIS,	)	PCB 19-28 (Lansing)



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VILLAGE OF TINLEY PARK, TINLEY PARK	)	
ILLINOIS, EXXONMOBIL OIL CORPORATION,	)	
VILLAGE OF WILMETTE, WILMETTE	)	
ILLINOIS, CITY OF COUNTRY CLUB HILLS,	)	
COUNTRY CLUB HILLS ILLINOIS, NORAMCO-	)	
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INC., CITY OF PALOS HEIGHTS, PALOS	)	PCB 16-33 (Oak Forest)
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OF DOLTON, DOLTON ILLINOIS, VILLAGE OF	)	PCB 19-16 (Romeoville)
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ILLINOIS, COOK COUNTY DEPARTMENT	)	PCB 19-26 (Glenwood)

OF TRANSPORTATION AND HIGHWAYS,	)	PCB 19-27 (Morton Grove)
VILLAGE OF NILES, NILES ILLINOIS,	)	PCB 19-28 (Lansing)
SKYWAY CONCESSION COMPANY LLC,	)	PCB 19-29 (Frankfort)
VILLAGE OF ELWOOD, ELWOOD	)	PCB 19-30 (Winnetka)
ILLINOIS, CITY OF CHICAGO, CHICAGO	)	PCB 19-31 (La Grange)
ILLINOIS, VILLAGE OF CRESTWOOD,	)	PCB 19-32 (Ingredion)
CRESTWOOD ILLINOIS and VILLAGE OF	)	PCB 19-33 (Channahon)
RIVERSIDE, RIVERSIDE ILLINOIS	)	PCB 19-34 (CCDTH)
	)	PCB 19-35 (Niles)
Petitioners,	)	PCB 19-36 (Skyway)
	)	PCB 19-37 (Elwood)
v.	)	PCB 19-38 (Chicago)
	)	PCB 19-40 (Crestwood)
ILLINOIS ENVIRONMENTAL PROTECTION	)	PCB 19-48 (Riverside)
AGENCY,	)	
	)	
Respondent.	)	

**POST HEARING REPLY BRIEF OF VILLAGE OF NEW LENOX**

Based on all of the information submitted to date in this rulemaking, New Lenox respectfully submits that it and the other Petitioners have met their burden in this matter and have sufficiently demonstrated, through competent evidence, that the requested Time-Limited Water Quality Standard (TLWQS) should be approved by the Board.

It should be noted that since the public hearing on this manner in February, the Petitioners, as a group, have worked with the IEPA and environmental groups to resolve certain issues which were raised during the hearing. Those discussions were in large part successful, and New Lenox has no further reply on the proposed chloride variance language or the proposed permit procedure which New Lenox believes will be submitted by IEPA.

As to the specific issue of outreach and education requirements/conditions suggested by IEPA with respect to the work groups, which was not able to be resolved, New Lenox believes that evidence on the issue (and the position of the petitioners) was sufficiently presented during the hearing and adequately briefed in the initial post-hearing briefs, and no further reply is made at this time.

New Lenox also adopts and incorporates the arguments and positions set forth in any Reply Briefs of similarly situated petitioners, except where they do not apply to the individual circumstances of New Lenox.

Dated: August 21, 2020

Respectfully submitted,

Village of New Lenox

*/s/ Michael R. Stiff*

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One of its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned attorney certified, under the penalties of perjury pursuant to 735 ILCS 5/1-109, that he caused a copy of the foregoing **POST-HEARING REPLY BRIEF OF THE VILLAGE OF NEW LENOX** to be served via electronic mail (from mburkybile@spesia-taylor.com) the 21st day of April, 2020 to the individuals listed on the attached service list.

*/s/ Michael R. Stiff*

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Michael R. Stiff

SERVICE LIST

<p>Bradley P. Halloran, Hearing Officer                  Illinois Pollution Control Board                  James R. Thompson Center, Suite 11-500                  100 W. Randolph Street                  Chicago, IL 60601</p>	<p>Don Brown, Clerk of the Board                  Illinois Pollution Control Board                  James R. Thompson Center, Suite 11-500                  100 W. Randolph Street                  Chicago, IL 60601</p>
<p>PCB 2016-014                  Stefanie N. Diers                  Sara Terranova                  Illinois Environmental Protection Agency                  1021 North Grand Avenue East                  P.O. Box 19276                  Springfield, IL 62794-9276</p>	<p>PCB 2016-014                  Christopher J. Cummings                  Christopher J. Cummings, P.C.                  2014 Hickory Road                  Suite 205                  Homewood, IL 60430</p>
<p>PCB 2016-014                  Albert Ettinger                  Law Firm of Albert Ettinger                  53 W. Jackson                  Suite 1664                  Chicago, IL 60604</p>	<p>PCB 2016-015                  Dennis Walsh                  E. Kenneth Friker                  Klein, Thorpe &amp; Jenkins                  15010 S. Ravinia Avenue                  Suite 17                  Orland Park, IL 60477</p>
<p>PCB 2016-016                  David J. Freeman                  Robbins, Schwartz, Nicholas, Lifton &amp; Taylor,                  Ltd                  631 E. Boughton Road                  Suite 200                  Bolingbrook, IL 60440</p>	<p>PCB 2016-016                  Peter Murphy                  11800 S. 75<sup>th</sup> Avenue                  Suite 101                  Palos Heights, IL 60463</p>
<p>PCB 2016-017                  Dennis Walsh                  Klein, Thorpe &amp; Jenkins                  15010 S. Ravinia Avenue                  Suite 17                  Orland Park, IL 60477</p>	<p>PCB 2016-018                  Michael P. Murphy                  Heplerbroom, LLC                  4340 Acer Grove Drive                  Springfield, IL 62711</p>
<p>PCB 2016-020                  Dennis Walsh                  Erin K. Lavery                  Klein, Thorpe &amp; Jenkins                  15010 S. Ravinia Avenue                  Suite 17                  Orland Park, IL 60477</p>	<p>PCB 2016-021                  Amber M. Samuelson                  Peter D. Coblentz                  Rosenthal, Murphey, Coblentz &amp; Donahue                  30 N. LaSalle Street, Suite 1624                  Chicago, IL 60602</p>

<p>PCB 2016-022                  John P. Antonopoulos                  Antonopoulos &amp; Virtel, PC                  15419 127<sup>th</sup> Street                  Suite 100                  Lemont, IL 60439</p>	<p>PCB 2016-023                  Michael P. Murphy                  Alec Messina                  Heplerbroom, LLC                  4340 Acer Grove Drive                  Springfield, IL 62711</p>
<p>PCB 2016-025                  David Stoneback                  Lindsey Ott                  City of Evanston                  555 Lincoln Street                  Evanston, IL 60201</p>	<p>PCB 2016-025                  Alexandra B. Ruggie                  Hugh DuBose                  City of Evanston                  2100 Ridge Road                  Evanston, IL 60201</p>
<p>PCB 2016-026                  James G. McCarthy                  Michael M. Lorge                  Village of Skokie                  5127 Oakton Street                  Skokie, IL 60077</p>	<p>PCB 2016-027                  Matthew D. Dougherty                  Special Assistant Attorney General                  Illinois Dept. of Transportation                  2300 S. Dirksen Parkway                  Springfield, IL 62764</p>
<p>PCB 2016-029                  Margaret T. Conway                  Metropolitan Water Reclamation District                  100 E. Erie Street                  Chicago, IL 60611</p>	<p>PCB 2016-030                  Amber M. Samuelson                  Peter D. Coblentz                  Rosenthal, Murphey, Coblentz &amp; Donahue                  30 N. LaSalle Street                  Suite 1624                  Chicago, IL 60602</p>
<p>PCB 2016-031                  Andrew N. Fiske                  Hart M. Passman                  Steven M. Elrod                  Holland &amp; Knight LC                  131 S. Dearborn Street                  30<sup>th</sup> Floor                  Chicago, IL 60603</p>	<p>PCB 2016-033                  Erin K. Lavery                  Scott F. Uhler                  Dennis G. Walsh                  Klein, Thorpe &amp; Jenkins, Ltd.                  20 N. Wacker Drive                  Suite 1660                  Chicago, IL 60606</p>
<p>PCB 2019-7                  Michael J. Marovich,                  Hiskes Dillner O Donnell Marovich Lapp Ltd                  10759 W. 159th Street.                  Suite 201                  Orland Park, IL 60467</p>	<p>PCB 2019-8                  Jeffrey C. Fort                  Dentons US LLP                  233 South Wacker Driver                  Suite 7800                  Chicago, IL 60606-6404</p>

<p>PCB 2019-9  Michael R. Stiff  Spesia and Taylor  1415 Black Road  Joliet, IL 60435</p>	<p>PCB 2019-10  Sonni Choi Williams  City of Lockport  222 East 9th Street  Lockport , IL 60441</p>
<p>PCB 2019-11  Chuck Anthony  Caterpillar Inc.  100 NE Adams St  Peoria, IL 61629</p>	<p>PCB 2019-12  Michael R. Stiff  Spesia and Taylor  1415 Black Road  Joliet, IL 60435</p>
<p>PCB 2019-13  Martin J. Shanahan  City of Joliet  150 West Jefferson Street  Joliet, IL 60432</p>	<p>PCB 2019-14  Eric E. Boyd  Tim Briscoe  Thompson Coburn LLP  55 East Monroe Street  Chicago, IL 60603</p>
<p>PCB 2019-15  Dennis G. Walsh  Klein, Thorpe &amp; Jenkins, Ltd.  20 N. Wacker Drive,  Suite 1660  Chicago, IL 60606</p>	<p>PCB 2019-16  Dennis G. Walsh  Klein, Thorpe &amp; Jenkins, Ltd.  20 N. Wacker Drive,  Suite 1660  Chicago, IL 60606</p>
<p>PCB 2019-17  David L. Rieser  K &amp; L Gates, LLP  70 W. Madison Street  Ste. 3100  Chicago, IL 60602</p>	<p>PCB 2019-18  Peter Etienne  Stepan Company  1135 Skokie Boulevard  Northbrook, IL 60062</p>
<p>PCB 2019-19  Felicia L. Frazier  Odelson &amp; Sterk, Ltd.  3318 West 95th Street  Evergreen Park, IL 60642</p>	<p>PCB 2019-20  Richard S. Porter  Hinshaw &amp; Culbertson LLC  100 Park Ave.  PO Box 1389  Rockford, IL 61105</p>

<p>PCB 2019-21                  Richard S. Porter                  Hinshaw &amp; Culbertson LLC                  100 Park Ave.                  PO Box 1389                  Rockford, IL 61105</p>	<p>PCB 2019-22                  Richard S. Porter                  Hinshaw &amp; Culbertson LLC                  100 Park Ave.                  PO Box 1389                  Rockford, IL 61105</p>
<p>PCB 2019-23                  Carl R. Buck                  Rathbun, Cservenyak &amp; Kozol, LLC                  3260 Executive Drive                  Joliet, IL 60431</p>	<p>PCB 2019-24                  Thomas J. Condon, Jr.                  Peterson Johnson and Murray Chicago LLC                  200 W. Adams                  Suite 2125                  Chicago, IL 60606</p>
<p>PCB 2019-25                  Amber M. Samuelson                  Rosenthal, Murphey, Coblenz &amp; Donahue                  30 North LaSalle St.                  Suite 1624                  Chicago, Il 60602</p>	<p>PCB 2019-26                  John F. Donahue                  Rosenthal, Murphey, Coblenz &amp; Donahue                  30 North LaSalle St.                  Suite 1624                  Chicago, Il 60602</p>
<p>PCB 2019-27                  Teresa Hoffman Liston                  Village of Morton Grove                  6101 Capulina Avenue                  Morton Grove, IL 60053</p>	<p>PCB 2019-28                  Matthew M. Welch                  Montana and Welch LLC                  11950 South Harlem Avenue                  Suite 102                  Palos Heights, IL 60463</p>
<p>PCB 2019-29                  George F. Mahoney III                  Mahoney, Silverman &amp; Cross, Ltd.                  822 Infantry Drive                  Suite 100                  Joliet, IL 60435</p>	<p>PCB 2019-30                  Benjamin L. Schuster                  Holland &amp; Knight LLC                  150 North Riverside Plaza                  Suite 2700                  Chicago, IL 60606</p>
<p>PCB 2019-31                  Mark E. Burkland                  Holland &amp; Knight LLC                  150 North Riverside Plaza                  Suite 2700                  Chicago, IL 60606</p>	<p>PCB 2019-32                  Michael P. Murphy                  Heplerbroom, LLC                  4340 Acer Grove Drive                  Springfield, IL 62711</p>

<p>PCB 2019-33  Marron Mahoney  Mahoney, Silverman &amp; Cross, Ltd.  822 Infantry Drive  Suite 100  Joliet, IL 60435</p>	<p>PCB 2019-34  Jeffrey M. Fronczak  Cook County Department of Transportation  and Highways  69 W. Washington Street  24th Floor  Chicago, IL 60602</p>
<p>PCB 2019-35  D. Danielle Grecic  Village of Niles  1000 Civic Center Drive  Niles, IL 60714</p>	<p>PCB 2019-36  Brett D. Heinrich  Dana B. Mehlman  Vedder Price  222 North LaSalle Street  Suite 2600  Chicago, IL 60601</p>
<p>PCB 2019-37  David J. Silverman  Mahoney, Silverman &amp; Cross, Ltd.  822 Infantry Drive  Suite 100  Joliet, IL 60435</p>	<p>PCB 2019-38  Jared Policicchio  City Of Chicago Department of Law  30 N. LaSalle Street  Suite 1400  Chicago, IL 60602</p>
<p>PCB 2019-40  David B. Sosin  Sosin Arnold and Schoenbeck Ltd.  9501 W. 144th Place  Suite 205  Orland Park, IL 60462</p>	<p>PCB 2019-48  Edward J. Bailey  Village of Riverside  3860 Columbus Boulevard  Riverside, IL 60546</p>
<p>PCB 2019-48  Dennis G. Walsh  Klein, Thorpe &amp; Jenkins, Ltd.  20 N. Wacker Drive,  Suite 1660  Chicago, IL 60606</p>	