



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

W-15J

May 12, 2022

Sanjay K. Sofat, Chief
Bureau of Water
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19726
Springfield, Illinois 62794-9276

Dear Mr. Sofat:

Thank you for your letter of February 9, 2022, submitting Illinois' variance (referred to as a time-limited water quality standard in Illinois' regulations) for chloride for the Chicago Area Waterway System and Lower Des Plaines River for review and approval by the U.S. Environmental Protection Agency in accordance with Section 303(c) of the Clean Water Act (CWA). On March 15, 2022, EPA received a letter from the Illinois Attorney General's Office certifying that the variance had been duly adopted in accordance with Illinois law.

Section 303(c) of the CWA and 40 CFR § 131.21 require that EPA review and approve or disapprove all new or revised state water quality standards. As detailed in the enclosed review document, EPA reviewed the information submitted in support of the chloride variance. EPA determined that Illinois' chloride variance is consistent with the relevant requirements of the CWA and applicable federal regulations. EPA therefore approves the variance.

As required under Section 7 of the Endangered Species Act and federal regulations at 50 CFR Part 402, EPA evaluated whether approval of this variance would affect federally listed threatened or endangered species or designated critical habitat. As described in the biological evaluation, EPA determined that the action may affect, but is not likely to adversely affect, one or more listed aquatic, aquatic-dependent or wetland species. Further, EPA determined that the action will not destroy or adversely modify designated critical habitat. EPA has completed consultation with U.S. Fish and Wildlife Service and received concurrence on its evaluation through a letter dated May 5, 2022.

If your staff have any questions regarding this approval, please contact Aaron Johnson of my staff at (312) 886-6845 or johnson.aaronk@epa.gov.

Sincerely,

Tera L. Fong
Division Director, Water Division

Enclosure

cc via email w/ enclosure:

Stefanie Diers, IEPA

Scott Twait, IEPA

Louise Clemency, USFWS Chicago Ecological Services Field Office