

ILLINOIS POLLUTION CONTROL BOARD  
August 27, 2008

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AUG 27 2008

**STATE OF ILLINOIS**  
Pollution Control Board

IN THE MATTER OF: )  
)  
WATER QUALITY STANDARDS AND ) R08-9  
EFFLUENT LIMITATIONS FOR THE ) (Rulemaking - Water)  
CHICAGO AREA WATERWAY SYSTEM )  
AND LOWER DES PLAINES RIVER )  
PROPOSED AMENDMENTS TO 35 ILL. )  
ADM. CODE 301, 302, 303, and 304 )

**HEARING OFFICER ORDER**

On Tuesday, August 26, 2008, a prehearing conference was held pursuant to 35 Ill. Adm. Code 102.404. At that conference, additional hearing dates of September 23, 24, and 25 were added to the schedule. Those dates had been previously reserved and given the amount of both prefiled testimony and prefiled questions, the additional dates will be required. The hearing on September 23 and 25, 2008, will start at 9:00 a.m. and be held in:

Room 9-040  
100 W. Randolph  
James R. Thompson Building  
Chicago, IL

The hearing on September 24, 2008, will be held in:

Room 2-025  
100 W. Randolph  
James R. Thompson Building  
Chicago, IL

Possible future hearing dates in October, November and December were discussed and specific dates, times and places will be announced later.

The participants discussed how best to organize the hearings. The following order was decided upon beginning on September 8, 2008. In general the hearing will begin with the Chicago Area Waterways System (CAWS) and then the Lower Des Plaines River. The hearing will start with the prefiled testimony of the Metropolitan Water Reclamation District of Greater Chicago (the District). The District will first present testimony on recreational uses and then aquatic life testimony. Prefiled questions for the District will begin with the Natural Resources Defense Council (NRDC) followed by the Illinois Environmental Protection Agency (IEPA), then the People of the State of Illinois (People), Openlands, and the Environmental Law and Policy Center (ELPC). After completion of the District's testimony, we will proceed to prefiled testimony from industry related to the CAWS, beginning with Corn Products and then CITGO.

Prefiled questions for that testimony will begin with IEPA, then the District, and Midwest Generation LLC (Midwest Gen).

The Board will next hear prefiled testimony from the Environmental Groups concerning CAWS beginning with Victor Crivello and Alan Mammoser and the prefiled questions by IEPA, the District and Midwest Gen. Next the NRDC witnesses will present their testimony followed by questions from IEPA, the District and Midwest Gen. Finally the prefiled testimony from ELPC will be presented and the prefiled questions by IEPA, the District and Midwest Gen.

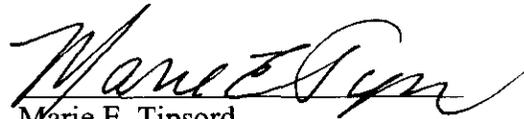
After the Environmental Groups, the prefiled testimony by the People will be heard along with the prefiled questions of the IEPA and the District.

After completion of the CAWS testimony, the testimony concerning the Lower Des Plaines waterway will begin with the prefiled testimony of Stepan Company and any prefiled questions. Then ExxonMobil and any prefiled questions will follow. Midwest Gen will then present its prefiled testimony and the prefiled questions of Stepan Company and ELPC will be heard.

Also at the prehearing conference, the hearing officer extended the time for prefiling of questions for Midwest Gen's remaining witnesses to September 29, 2008, and allowed the IEPA to file all its questions for Midwest Gen on September 29, 2008.

All filings in this proceeding will be available on the Board's web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and participants may file electronically on the Board's web page.

IT IS SO ORDERED.



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