

EXHIBIT LIST

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)

- Exhibit 1 Prefiled testimony of Rob Sulski
- Exhibit 2 Prefiled testimony of Scott Twait
- Exhibit 3 Prefiled testimony of Rob Smogor
- Exhibit 4 United States Environmental Protection Agency letter from Linda Holst to Toby Frevert of the Illinois Environmental Protection Agency, dated May 3, 2007
- Exhibit 5 Appendix Table 1. QHEI metric scores for stations sampled in the Illinois and DesPlaines Rivers during 2006
- Exhibit 6 Table 2. QHEI scores and metric values for sites sampled in the Des Plaines & Illinois Rivers by MBI in 2006
- Exhibit 7 MBI Qualitative Habitat Evaluation Index Field Sheet QHEI Score (contains 23 pages)
- Exhibit 8 "Quality Assurance Project Plan: Fish Assemblage Assessment of the Lower Des Plaines River" Effective Date July 1, 2006, Center of Applied Bioassessment & Biocriteria P.O. Box 21561 Columbus, OH 43221-0561
- Exhibit 9 Publication: HERALD-NEWS, Publication date: 8/19/2002 "Fishermen died by drowning"
- Exhibit 10 Three Rivers Manufacturers' Association letter to Toby Frevert dated June 6, 2003
- Exhibit 11 United States Environmental Protection Agency MEMORANDUM on "Improving the Effectiveness of the Use Attainability Analysis (UAA) Process" from Ephraim S. King to Regional Water Division Directors. Dated March 13, 2006

- Exhibit 12 “Review of ‘Technical Memorandum 1WQ-Disingection Evaluation Prepared on Behalf of the Metropolitan Water Reclamation District of Greater Chicago’ Prepared for United States Environmental Protection Agency by Science Applications International Corporation
- Exhibit 13 Prefiled testimony of Chris O. Yoder
- Exhibit 14 *Curriculum Vitae* of Chris Yoder
- Exhibit 15 “Temperature Criteria Options for the Lower Des Plaines River” Final Report to United States Environmental Protection Agency and Illinois Environmental Protection Agency by Chris Yoder and Edward Rankin
- Exhibit 16 “Re-evaluation of the Technical Justification for Existing Ohio River Mainstem Temperature Criteria” Chris Yoder, Brian Armitage and Edward Rankin
- Exhibit 17 “Thermal Discharge form a Nuclear Power Plant: Predicted Effects on Lake Erie Fish” Jeffrey Reutter and Charles Herdendorf
- Exhibit 18 Pages 2-98 through 2-102 from the Lower Des Plaines Use Attainability Analysis (Attachment A to proposal)
- Exhibit 19 Table 1. Number, CPE (no./km) and Relative Abundance of all Fish Taxa Collected Electrofishing from the Lower Dresdan Pool
- Exhibit 20 MBI Fish Data Sheet (contains 35 pages)
- Exhibit 21 Table 1 Boat IBI scores and metrics at boat sites in the Des Plaines River sampled by MBI during 2006
- Exhibit 22 R08-9 Illinois Pollution Control Board hearing Question for the Illinois EPA (2-1-08)
- Exhibit 23 “Illinois Waterway Navigation Charts” Map Nos. 94-114.
- Exhibit 24 “White Sucker (*Catostomus commersoni*) Embryo Development, and Early Growth and Survival at Divergent Temperatures” by J. Howard McCormick, Bernard R. Jones and Kenneth E.F. Hokanson
- Exhibit 25 Map entitled “Chicago Area Waterway System and Des Plaines River UAA Segments”
- Exhibit 26 Map entitled “Proposed Aquatic Life Use Designation”
- Exhibit 27 Map entitled “Proposed Recreational Use Designation”

- Exhibit 28 Metropolitan Water Reclamation District of Greater Chicago table entitled “Total Number of Fish Collected from Each Sampling Station in the Chicago Area Waterway System from 2001 through 2005 as part of the ambient Water Quality Monitoring Program”
- Exhibit 29 UAA Factor Application to the Lower Des Plaines River and CAWS
- Exhibit 30 U.S. Army Corps of Engineers Maps of Illinois Waterway, Map Nos. 109,110, 111
- Exhibit 31 Illinois Department of Natural Resources Lake Michigan Tributaries Fish Population Survey, July 27-31, 2006
- Exhibit 32 Qualitative Habitat Evaluation Index Scores in the Upper Dresden Island Pool of Des Plaines River
- Exhibit 33 Edits to the Lower Des Plaines UAA (Attachment A to the IEPA’s Statement of Reasons)
- Exhibit 34 Information on Impaired Segments of the Lower Des Plaines River and the CAWS
- Exhibit 35 “Evaluation and Development of Large River Biological Assessment Methods and Standardized Protocols for Region V” by Rob Tewes, Erich Emery, and Jeff Thomas
- Exhibit 36 Meeting Minutes from the Lower Des Plaines River Workgroup and the CAWS Stakeholders Group
- Exhibit 37 Compact disc titled “Yoder CD”
- Exhibit 38 Metropolitan Water Reclamation District of Greater Chicago, Research and Development Department Report No. 03-20 “Comparison of Fecal Coliform concentrations and Trends in Two Urban Rivers: The Chicago Sanitary and Ship Canal and The Des Plaines River” October 2003
- Exhibit 39 Metropolitan Water Reclamation District of Greater Chicago, Research and Development Department Report No. 04-10 “Estimation of the Escherichia Coli to Fecal Coliform Ratio in Wastewater Effluents and Ambient Water of the Metropolitan Water Reclamation District of Greater Chicago” July 2004
- Exhibit 40 Chart titled “Illinois Department of Natural Resources DuPage River Basin Survey Stations

- Exhibit 41 Chart titled “Illinois Department of Natural Resources Fish Community Sampling Results and Index of Biotic Integrity (IBI), 2003 Des Plaines Basin Survey - mainstream stations”
- Exhibit 42 Chart titled “Illinois Department of Natural Resources Fish Community Sampling Results and Index of Biotic Integrity (IBI), 2003 Des Plaines Basin Survey - tributary stations (includes data from 2002 surveys)”
- Exhibit 43 Chart titled “Illinois Department of Natural Resources - Fisheries Division Kankakee River Fish Population Survey Results - July, 2005”
- Exhibit 44 “The Des Plaines River: Monitoring the Fish Resources of an Urban River (1978-1990) by David M. Day August 12, 1991
- Exhibit 45 Table with headers “Name”, “10-Digit HUC”, “IEPA Basin”, “Assessment Unit ID”, “Size (miles)”, “Cat.”, “Designated Uses/Attainment”, “Causes”, “Sources”
- Exhibit 46 Compact Disc titled “MWRDGC continuous DO and temp data for selected CAW stations”
- Exhibit 47 Group of letters from Metropolitan Water Reclamation District of Greater Chicago starting with letter to Michael Garretson, dated August 18, 2006 on reported fish kills
- Exhibit 48 Group of tables beginning with table titled “Metropolitan Water Reclamation District of Greater Chicago Ambient Water Quality Monitoring Program Sample Stations”
- Exhibit 49 Letter to Toby Frevert of IEPA from Linda Holst USEPA dated May 3, 2007
- Exhibit 50 Draft comments from Midwest Generation dated 02/12/07 at bottom
- Exhibit 51 Metropolitan Water Reclamation District of Greater Chicago Comments on IEPA Chicago Area Waterways Use Attainability Analysis Draft Standards dated March 16, 2007
- Exhibit 52 IEPA document titled “Chicago Waterway/Lower Des Plaines River UAA Major issues related to comments from March 20, 2007 meeting in Joliet
- Exhibit 53 Environmental Law & Policy Center comments to Toby Frevert on Use Attainability Analyses for the lower Des Plaines and the Chicago Waterway System, dated April 6, 2007
- Exhibit 54 email from Phillip Moy to Toby Frevert dated 3/23/2007

- Exhibit 55 Alliance for the Great Lakes “Protecting Public Health, Caring for Chicago’s Waters”
- Exhibit 56 Group of documents with email cover sheet from Deana Poe to CAWS UAA; UAA - Des Plaines dated January 26, 2007.
- Exhibit 57 “Reconnaissance Report Great Lakes Navigation System Review Appendix D-Chicago Sanitary & Ship Canal” Army Corp of Engineers, June 2002
- Exhibit 58 Settlement Agreement between Natural Resources Defense Council and USEPA, and the National Association of Clean Water Agencies
- Exhibit 59 Letter from Louis Kollias, Director Research and Development, MWRDGC, to Marcia Willhite, Bureau Chief, IEPA, dated September 5, 2008
- Exhibit 60 Prefiled Testimony of Richard Lanyon
- Exhibit 61 Attachment 1 Openlands Questions, color photos
- Exhibit 62 Prefiled Testimony of William J. Stuba
- Exhibit 63 Table entitled “Annual Summaries of Recreational Activities Observations”
- Exhibit 64 Trip Log dated 7-16-08, Patrol CAL DO NPDES
- Exhibit 65 Prefiled Testimony of Samuel G. Dennison on Recreational Designations
- Exhibit 66 Color Photo of Barge on Calumet-Sag Channel looking west from 104th Street Bridge
- Exhibit 67 email from Fredric Andes to Marie Tipsord and Susan Hedman listing links to MWRDGC’s 2007 and 2008 budget books
- Exhibit 68 Prefiled Testimony of Chriso Petropoulou
- Exhibit 69 Prefiled Testimony of Charles P. Gerba
- Exhibit70 Prefiled Testimony of Keith Tolson
- Exhibit 71 Report prepared for MWRDGC by Geosyntec entitled “Dry and Wet Weather Risk Assessment of Human Health Impacts of Disinfection vs. No Disinfection of the Chicago Area Waterways System” April 2008
- Exhibit 72 “Dry Weather Risk Assessment of Human Health Impacts of Disinfection vs. No Disinfection of the Chicago Area Waterways System” Review conducted fro US EPA Region 5, Office of Water

- Exhibit 73 Compact Disc titled USEPA Correspondence
- Exhibit 73a Compact Disc that is attachments to USEPA Correspondence
- Exhibit 74 “Health Effects of white-water canoeing” by L. Fewtrell *et al*, from *The Lancet* dated June 27, 1992
- Exhibit 75 Table 1 entitled “Illnesses acquired by ingestion of water”
- Exhibit 76 Report prepared for MWRDGC by Geosyntec entitled “Interim Phase I Dry Weather Risk Assessment Human Health Impacts of Disinfection vs. No Disinfection of the Chicago Area Waterways System” November 2006
- Exhibit 77 Compact Disc entitled “Appendices” “Dry and Wet Weather Risk Assessment of Human Health Impacts of Disinfection vs. No Disinfection of the Chicago Area Waterways System” April 2008
- Exhibit 78 Cover page and one page excerpt from “Environmental Microbiology” by Maier, Pepper, and Gerba
- Exhibit 79 “The Health Effects of Low-Contact Water Activities in Fresh and Estuarine Waters” by Fewtrell *et al*. February 1994
- Exhibit 80 “Bathroom research reveals surprising data” by Amanda Riddle June 11, 1997
- Exhibit 81 MSNBC.com Interview “Is your workplace a bacteria cafeteria” Feb. 16, 2005
- Exhibit 82 Openlands Attachment 1 to Prefiled Question of Keith Tolson, color photo