

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

To: see attached Service List

PLEASE TAKE NOTICE that on the 20th Day of April, 2009, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached:

The Southeast Environmental Task Force's Motion To Withdraw Alan Mammoser as a Witness to Testify, and For the Illinois Pollution Control Board To Accept His Pre-filed Testimony as Public Comment

a copy of which is hereby served upon you.

By: 
Keith Harley, Chicago Legal Clinic, Inc.

Dated: April 20, 2009

Keith Harley
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CERTIFICATE OF SERVICE

I, Keith Harley, the undersigned attorney, hereby certify that I have served the attached Motion To Withdraw Alan Mammoser as a Witness to Testify, and For the Illinois Pollution Control Board To Accept His Pre-filed Testimony as Public Comment, on all parties of record (Service List attached), by depositing said documents in the United States Mail, postage prepaid, from 227 W. Monroe, Chicago, IL 60606, before the hour of 5:00 p.m., on this 20th Day of April, 2009.



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CHICAGO AREA WATERWAY SYSTEM) (Rulemaking – Water)
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PROPOSED AMENDMENTS TO 35 ILL.)
ADM. CODE PARTS 301, 302, 303 and 304)

**The Southeast Environmental Task Force's Motion To Withdraw Alan Mammoser
as a Witness to Testify, and For the Illinois Pollution Control Board To Accept His
Pre-filed Testimony as Public Comment**

Pursuant to 35 Ill. Adm. Code 101.500, Keith Harley of the Chicago Legal Clinic, Inc. on behalf of his client, the Southeast Environmental Task Force, respectfully submits this Motion To Withdraw Alan Mammoser as a Witness to Testify, and To Accept His Pre-filed Testimony as Public Comment, and in support of its Motion states as follows:

1. At the time of the preparation of his pre-filed testimony, Alan Mammoser was the Executive Director of The Southeast Environmental Task Force ("SETF").
2. By the time of filing his pre-filed testimony, Alan Mammoser left SETF to pursue other career opportunities, but remained willing to testify as the former Executive Director of SETF, anticipating that he would be testifying shortly after his pre-filed testimony was submitted.
3. Due to the elapsing of time since Alan Mammoser's pre-filed testimony was submitted, and due to other responsibilities Mr. Mammoser must meet which affect his

availability to participate in hearings, SETF no longer seeks to have him testify as a witness on its behalf.

4. Victor Crivello, who also pre-filed his testimony as a witness for SETF, is still prepared to testify and will address many of the issues contained in Alan Mammoser's pre-filed testimony, and will be able to address many of the substantive pre-filed questions submitted for Mr. Mammoser, at the discretion of the parties that submitted these questions.

5. Although he is no longer available to testify on its behalf, SETF asserts Alan Mammoser's pre-filed testimony can contribute as part of a full and complete record for the Board in its review, and requests his pre-filed testimony be regarded as public comment effective as of the date it was originally filed with the Board.

Wherefore, SETF respectfully requests the Illinois Pollution Control Board to remove Alan Mammoser as a testifying witness and to accept his pre-filed testimony as public comment.

Respectfully Submitted,


Keith Harley
Chicago Legal Clinic, Inc.
Attorney for the Southeast Environmental Task Force

Date: April 20, 2009