

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.. ) (Subdocket B)  
ADM. CODE PARTS 301, 302, 303 and 304 )

**NOTICE OF FILING**

To:

John Therriault, Assistant Clerk  
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Persons on the attached service list

Please take notice that on the 30<sup>th</sup> Day of September, 2010, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Environmental Groups' Response to Metropolitan Water Reclamation District of Greater Chicago's Motion to Allow Oral Statement of Thomas Granato**, a copy of which is hereby served upon you.



By: \_\_\_\_\_  
Ann Alexander, Natural Resources Defense Council

Dated: September 30<sup>th</sup>, 2010

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**CERTIFICATE OF SERVICE**

I, Ann Alexander, the undersigned attorney, hereby certify that I have served the attached **Environmental Groups' Response to Metropolitan Water Reclamation District of Greater Chicago's Motion to Allow Oral Statement of Thomas Granato** 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 30<sup>th</sup> Day of September, 2010.



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Ann Alexander, Natural Resources Defense Council

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IN THE MATTER OF:	)	
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WATER QUALITY STANDARDS AND	)	
EFFLUENT LIMITATIONS FOR THE	)	R08-9
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AND THE LOWER DES PLAINES RIVER:	)	
PROPOSED AMENDMENTS TO 35 ILL.	)	(Subdocket B)
Adm. Code Parts 301, 302, 303, and 304	)	

**ENVIRONMENTAL GROUPS' RESPONSE TO  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER  
CHICAGO'S MOTION TO ALLOW ORAL STATEMENT OF THOMAS GRANATO**

Natural Resources Defense Council, Openlands, Sierra Club – Illinois Chapter, Environmental Law and Policy Center, Friends of the Chicago River, Southeast Environmental Task Force, and Alliance for the Great Lakes (collectively, “Environmental Groups”) respectfully submit this memorandum in opposition to the motion of the Metropolitan Water Reclamation District (“MWRD”) to allow an oral statement by its witness Thomas Granato.

The District’s motion presents no plausible reason why its witness should be allowed to read testimony into the record when every other witness in the proceeding (except the same witness two years ago) has simply submitted written testimony and proceeded to cross-examination. The record-breaking length of this proceeding, coupled with the limited time remaining to meet the Board’s December deadline for completing Subdocket B submissions, counsel strongly against this pointless use of time. So do basic principles of fairness, which suggest that the District ought not be allowed the advantage of an oral summation to the Board when no other party has a parallel opportunity. We are eminently confident that the Board can fully comprehend Mr. Granato’s written testimony without having it read to them out loud.

Dated: September 30, 2010

Respectfully submitted,

NATURAL RESOURCES DEFENSE COUNCIL

SOUTHEAST ENVIRONMENTAL TASK  
FORCE

SIERRA CLUB-ILLINOIS CHAPTER

OPENLANDS

ENVIRONMENTAL LAW & POLICY CENTER

FRIENDS OF THE CHICAGO RIVER

ALLIANCE FOR THE GREAT LAKES

A handwritten signature in blue ink that reads "Ann Alexander". The signature is written in a cursive, flowing style.

By: \_\_\_\_\_

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Authorized to represent the parties listed above for  
purposes of this motion