

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
WATER QUALITY STANDARDS AND	)	
EFFLUENT LIMITATIONS FOR THE	)	R08-9
CHICAGO AREA WATERWAY SYSTEM	)	Subdocket C
AND THE LOWER DES PLAINES RIVER:	)	(Rulemaking – Water)
PROPOSED AMENDMENTS TO 35 Ill.	)	
Adm. Code Parts 301, 302, and 303	)	

PRE-FILED TESTIMONY OF

My testimony will focus on the following items: (1) the importance of preserving navigation in the Chicago Area Waterway System (CAWS) to the regional economy, environment and road traffic; (2) the impact of potential strategies employed by federal and state agencies to limit the transfer of invasive species on companies employed by federal and state agencies to limit the transfer of invasive species on companies engaged in waterborne commerce, and the relationship between this proposal and that effort; and (3) the impact of increased recreational traffic in the waterways on safety. I believe that the arguments I will set forth in these areas will convince the Board that it should refrain from amending water quality standards in CAWS waterways.

**1. The Importance of Preserving Navigation in the CAWS to the Regional Economy, Environment and Road Traffic.**

I am providing testimony on behalf of Calumet River Fleeting Inc. (CRF). CRF is a full service towing company residing in the Calumet River in South Chicago. We have 40 full time employees with 23 seasonal employees. We service the area from O'Brien

Lock north and across the lake to all local harbors, Indiana Harbor, Gary Harbor, Burns Harbor and Milwaukee Harbor on a regular basis with cargo also transported throughout the Great Lakes. We also tow cargo from the Great Lakes south throughout the river system with charters to the Gulf of Mexico. Our company completely relies on the CAWS for our business.

CRF handles petroleum products, agricultural products, coal for local power plants, coke and various steel making products, road salt, water softener salt, cement, sand, slag, gypsum, gypsoil and project cargo barges. The supply of these products to this region is of the utmost importance to the suppliers and customers.

In 2008 12.4 million tons of cargo transited through the Lockport Lock, with over 6 million tons of cargo moving through the Cal-Sag Channel, 1.3 million tons through the Chicago River, and 1.1 million tons through Lake Calumet. Another 16 million tons pass through the Chicago Ship and Sanitary Canal.

Interruptions to barge traffic along CAWS would cost companies and customers significantly. CAWS areas would be directly impacted by the introduction of increased recreational traffic as stated in IEPA's proposal.

There have been several studies, one performed by DePaul University and another performed by Ports of Indiana stating the economic impact would be devastating to the industry and the area.

It also has been stated that restrictions could be placed on barge and commercial traffic to allow for more recreational traffic. I believe this is not being looked at from the customer or the supplier side of the industry. Shipments need to be performed in a timely manner or the customer and or supplier do not benefit.

Our company and this industry move products 24 hours a day, 7 days a week and 365 days a year. Weather is already a factor in the moving of barges. Restricting the movement of barges to a specific time and day will cripple this industry. Scheduling towboats to move a specific time and day would only cause facilities to seek more timely means of transportation for their shipments. This, in most cases would mean trucks. This would only add congestion and mayhem to already overloaded Chicago area expressway systems. Every shipment of dry cargo by a barge equates to 70 trucks and a liquid cargo barge equates to 144 trucks.

The pollution factors would go up along with more heavily traveled area expressways creating an added risk for safety.

**2. The Impact of Potential Strategies Employed by Agencies to Limit the Transfer of Invasive Species on Companies Engaged in Waterborne Commerce, and the Relationship Between this Proposal and that Effort.**

There are many concerns of the invasive species entering Lake Michigan through the CAWS which has led to a many actions of various federal and state agencies. Many suggest closing the Chicago and O'Brien Locks permanently. There have been many reasons to not close these locks but mainly they were not constructed as barriers and are not watertight therefore it will not stop the Asian Carp. There is also flooding problems with the city and suburbs and the locks will have to be opened periodically to prevent this.

CRF does see other ways to stop the Asian Carp as the Electronic Fish Barrier which was constructed in Romeoville and completion of the third barrier will be a huge addition to the first two barriers. There are also acoustic bubble barriers that would not harm the environment but stop the carp for advancing. Yet with this in mind no one wants the Asian Carp to advance to the Great Lakes but IEPA also wants to alter the water quality of the CAWS to make it more fish friendly. This would only allow the Asian Carp to advance more rapidly. CRF believes more coordination between all agencies involved needs to take place to make the river navigable yet contain the invasive species.

### **3. The Impact of Increased recreational Traffic on Safety in the Waterways.**

To increase recreational traffic on the CAWS would be a major safety issue for all our mariners. CRF has many safety procedures and safety standards that we follow for handling our barges and boats. Our captains, engineers and deckhands are all licensed and trained to handle our equipment. On the other hand the recreational boaters don't

have to get a license, take any safety training, are allowed to have alcohol on their boats and are not required to even have a marine radio on their boat. All of which contribute too many accidents we see or have the potential to happen. There isn't good communication between recreational boaters and commercial boats.

Many recreational boaters do not understand the handling of a tow of barges and the fact that they cannot be stopped on a dime. Canoes and kayakers along with rowers don't have experience or have not been around large commercial traffic of tugboats and tows of barges. This causes them to take many liberties with commercial traffic as they feel they can beat this large piece of equipment to the next bridge or they simply get too close to the movement of this equipment. There are huge safety risks with the non-communication and the twists and turns of the river system. CRF believes all of these factors will create an unsafe river condition for recreational boaters, towboats and barges.

### **Conclusion**

CRF believes in our judgment the IEPA's proposed actions to amend water quality standards in the CAWS should not be allowed. The main factor for this assumption is the decrease in economic, environmental and quality of living standards that would happen to the Chicago area and Northwest Indiana area all of which have vested interest in the CAWS with a decrease in barge movement. Federal, State and local agencies would need to manage the systems with a more uniform voice and safety concerns with increased traffic to roadways would be a heightened concern.

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