

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
WATER QUALITY STANDARDS AND)	R08-9 Subdocket C
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)	

NOTICE OF FILING

TO:

John Therriault, Clerk
 Illinois Pollution Control Board
 James R. Thompson Center
 100 West Randolph Street, Suite 11-500
 Chicago, IL 60601

Marie Tipsord, Hearing Officer
 Illinois Pollution Control Board
 James R. Thompson Center
 100 West Randolph Street, Suite 11-500
 Chicago, IL 60601

Persons included on the attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board STEPAN COMPANY’S PRE-FILED QUESTIONS FOR MIDWEST GENERATION WITNESSES JULIA WOZNIAK AND GREG SEEGER, a copy of which is herewith served upon you.

STEPAN COMPANY

DATE: October 22, 2010

/s/ Susan Charles
 Susan Charles

Thomas W. Dimond
 Susan Charles
 Ice Miller LLP
 200 West Madison Street, Suite 3500
 Chicago, Illinois 60606
 (312) 726-1567 (phone)
 (312) 726-7102 (fax)

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 22nd day of October, 2010, I have served electronically the attached STEPAN COMPANY'S PRE-FILED QUESTIONS FOR MIDWEST GENERATION WITNESSES JULIA WOZNIAK AND GREG SEEGER, and NOTICE OF FILING upon the following person:

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

and by U.S. Mail, first class postage prepaid, to the following persons:

Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

The participants listed on the attached
SERVICE LIST

/s/ Susan Charles

Susan Charles

SERVICE LIST

Deborah J. Williams, Assistant Counsel
Stefanie N. Diers, Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Frederick M. Feldman
Ronald M. Hill
Margaret T. Conway
Metropolitan Water Reclamation District
of Greater Chicago
111 East Erie Street
Chicago, IL 60611

Bill Richardson, Chief Legal Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271

Keith Harley
Elizabeth Schenkier
Chicago Legal Clinic, Inc.
205 West Monroe, 4th Floor
Chicago, IL 60606

Katherine D. Hodge
Monica T. Rios
Hodge Dwyer Zeman
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705-5776

James E. Eggen
Director of Public Works & Utilities
City of Joliet
921 E. Washington St
Joliet, IL 60431

Matthew Dunn, Chief
Environmental Bureau
Office of the Attorney General
100 West Randolph, 12th Floor
Chicago, IL 60601

Ann Alexander
Natural Resources Defense Counsel
2 North Riverside Plaza, Floor 23
Chicago, IL 60606

Susan M. Franzetti
Franzetti Law Firm P.C.
10 South LaSalle St.
Suite 3600
Chicago, IL 60603

Albert Ettinger
Jessica Dexter
Environmental Law & Policy Center
35 E. Wacker Dr., Suite 1300
Chicago, IL 60601

Richard Kissel
Roy Harsch
DrinkerBiddle
191 N. Wacker Dr., Suite 3700
Chicago, IL 60606-1698

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Claire Manning
Brown Hay & Stephens LLP
700 First Mercantile Bank Bldg
205 S. Fifth St
Springfield, IL 62705-2459

James L. Daugherty
Thorn Creek Basin Sanitary District
700 West End Avenue
Chicago Heights, IL 60411

W.C. Blanton
Blackwell Sanders LLP
4801 Main St, Suite 1000
Kansas City, MO 64112

Jerry Paulsen
Cindy Skukrud
McHenry County Defenders
132 Cass Street
Woodstock, IL 60098

Bernard Sawyer
Thomas Grant
Metropolitan Water Reclamation District
6001 W. Pershing Rd
Cicero, IL 60650-4112

Fredric Andes
Erika Powers
Bames & Thornburg
1 North Wacker Dr
Suite 4400
Chicago, IL 60606

Bob Carter
Bloomington Normal Water Reclamation
PO Box 3307
Bloomington, IL 61702-3307

Kenneth W. Liss
Andrews Environmental Engineering
3300 Ginger Creek Drive
Springfield, IL 62711

Frederick Keady
Vermillion Coal Company
1979 Jolms Drive
Glenview, IL 60025

Kay Anderson
American Bottoms
One American Bottoms Road
Sauget, IL 62201

Robert VanGyseghem
City of Geneva
1800 South St
Geneva, IL 60134-2203

Lisa Frede
Chemical Industry Council of Illinois
1400 East Touhy Avenue
Suite 100
Des Plaines, IL 60019-3338

Jack Darin
Sierra Club
70 E. Lake St
Suite 1500
Chicago, IL 60601-7447

Andrew Armstrong
Office of the Attorney General
Suite 1800
69 West Washington Street
Chicago, IL 60602

Tom Muth
Fox Metro Water Reclamation District
682 State Route 31
Oswego, IL 60543

Vicky McKinley
Evanston Environmental Board
223 Grey Avenue
Evanston, IL 60202

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Mark Schultz
Navy Facilities and Engineering Command
201 Decatur Avenue, Building 1A
Great Lakes, IL 60088

Marc Miller
Jamie S. Caston
Office of Lt. Governor Pat Quinn
Room 414 State House
Springfield, IL 62706

Tracy Elzemeyer
American Water Company
727 Craig Road
St. Louis, MO 63141

Kristy A. N. Bulleit
Hunton & Williams LLP
1900 K Street, N.W.
Washington, DC 20006

Irwin Polls
Ecological Monitoring and Assessment
3206 Maple Leaf Drive
Glenview, IL 60025

James Huff
Huff & Huff, Inc.
915 Harger Road, Suite 330
Oak Brook, IL 60523

Jeffrey C. Fort
Ariel J. Teshner
Sonnenschein Nath & Rosenthal LLP
7800 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6404

Lyman C. Welch
Alliance for the Great Lakes
17 N. State St., Suite 1390
Barnes & Thornburg LLP
Chicago, IL 60602

Dr. Thomas J. Murphy
2325 N. Clifton St
Chicago, IL 60614

Beth Steinhorn
2021 Timberbrook
Springfield, IL 62702

Cathy Hudzik
City of Chicago
Mayor's Office of Intergovernmental Affairs
121 North LaSalle Street, Room 406
Chicago, IL 60602

Traci Barkley
Prairie Rivers Networks
1902 Fox Drive, Suite 6
Champaign, IL 61820

Stacy Meyers-Glen
Openlands
Suite 1650
25 East Washington
Chicago, IL 60602

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WATER QUALITY STANDARDS AND) R08-9 Subdocket C
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PROPOSED AMENDMENTS TO 35 ILL.)
ADM. CODE 301, 302, 303, and 304)

**PRE-FILED QUESTIONS FOR MIDWEST GENERATION WITNESSES
JULIA WOZNIAK AND GREG SEEGERT**

Stepan Company submits the following Pre-Filed Questions for Midwest Generation Witnesses Julia Wozniak and Greg Seegert in connection with their Pre-Filed Testimony filed on October 8, 2010, which is currently scheduled to be presented at hearings on November 8-10, 2010. Stepan reserves the right to ask additional follow-up questions as necessary.

QUESTIONS FOR JULIA WOZNIAK

1. On page 13 of your testimony, you state that "approximately 50,000 pounds of fish were collected during Operation Silver Screen," which refers to the December 2009 application of rotenone in the Chicago Sanitary and Ship Canal. Don't you mean that 50,000 pounds of fish were killed?
2. On page 5 of your testimony, you indicate that the installation of a hybrid bio-acoustic barrier [also sometimes referred to as the ABS system] is under consideration "at the downstream side of the Brandon Road Lock and Dam." Is this the same as the area often referred to by the Agency as the Brandon Road Dam tailwater?
3. Even though the ABS system is sometimes called a "barrier," is it correct that it is intended to deter fish migration but does not absolutely prevent it?
4. What other actions to retard Asian carp migration toward Lake Michigan are under consideration in connection with the operation of the ABS system?
5. If the ABS system is installed downstream of the Brandon Road Lock and Dam and actions are taken to kill Asian carp in the Brandon Road Dam tailwater, will that be

expected to impact the ability of the tailwater to serve as an area in the Upper Dresden Island Pool (UDIP) to serve as an area for fish to spawn? In what way?

QUESTIONS FOR GREG SEEGER

1. Will the ABS system and associated Asian carp killing and collection activities impact the ability of all fish, not just Asian carp, to spawn in the Brandon Road Dam tailwater?
2. If the Brandon Road Dam tailwater is utilized for the herding, killing and collection of Asian carp, would these new ways of using the tailwater area change your opinion as to its ability to provide the only area of better than average habitat for aquatic life in the UDIP? If so, how?
3. If the presence of better than average habitat in the tailwater area will be diminished by actions taken to combat Asian carp migration, how does that impact the UAA analysis of the UDIP conducted and presented by the Illinois Environmental Protection Agency?
4. Will the application, or repeated application, of rotenone in the Brandon Road Dam tailwater impact the fish community downstream of the application area? If so, in what way?
5. Does any action that makes the waters in the UDIP more attractive to Asian carp increase the risk that Asian carp will pass through the electrical barriers, the ABS system and other actions intended to retard Asian carp migration toward Lake Michigan?
6. Would the change in use designation for the UDIP proposed by Illinois EPA and the associated proposed general decrease in water temperature standards for the UDIP make the waters of the UDIP more attractive to Asian carp?
7. When the Asian carp establish themselves in the UDIP, how will they impact the RAS species identified by Illinois EPA in setting thermal standards for the UDIP?
8. Page 3 of your testimony states that the Asian carp prefer to be located in off-channel areas that are high in plankton population. Is this also habitat preferred by many of the RAS species identified by Illinois EPA?
9. What areas downstream of the Brandon Road Lock & Dam have been designated for commercial fishing operations? Are any of those areas in the UDIP? What effects on the fish community in the UDIP would you expect those operations to have?
10. Your testimony is that Asian carp and some species already found in the UDIP feed on zooplankton and phytoplankton. How would you expect the presence of Asian carp in the UDIP to impact already existing species that feed on these type of plankton?

11. With the addition of Asian carp as a stressor to the UDIP fish community on top of the existing stressors, such as poor habitat, poor quality sediments, and barge traffic impacts, will the decrease in water temperatures and increases in DO proposed by Illinois EPA make any material difference in the UDIP fish community?
12. Is it reasonable to expect the UDIP to attain the Clean Water Act goal of being fishable in light of the existing stressors on the UDIP and the inevitable impact of the Asian carp stressor?

Respectfully submitted,

STEPAN COMPANY

DATE: October 22, 2010

/s/ Susan Charles

One of its Attorneys

Thomas W. Dimond
Susan Charles
Ice Miller LLP
200 West Madison Street, Suite 3500
Chicago, Illinois 60606
(312) 726-1567 (phone)
(312) 726-7102 (fax)