

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
)  
WATER QUALITY STANDARDS AND )  
EFFLUENT LIMITATIONS FOR THE )  
CHICAGO AREA WATERWAY SYSTEM )  
AND THE LOWER DES PLAINES RIVER: )  
PROPOSED AMENDMENTS TO 35 Ill. )  
Adm. Code Parts 301, 302, 303 and 304 )

R08-09  
(Rulemaking – Water)  
Subdocket C

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CLERK'S OFFICE  
FEB 23 2011  
STATE OF ILLINOIS  
Pollution Control Board

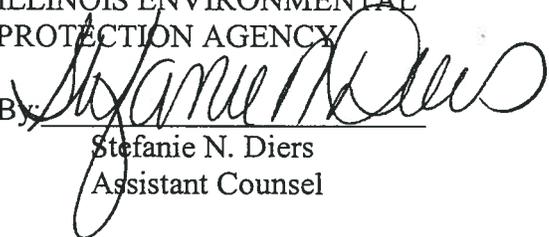
NOTICE OF FILING

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

**SEE ATTACHED SERVICE LIST**

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board ILLINOIS EPA'S PRE-FILED QUESTIONS FOR JAMES HUFF a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Stefanie N. Diers  
Assistant Counsel

Dated: February 22, 2011  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

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**ILLINOIS EPA'S PRE-FILED QUESTIONS JAMES HUFF**

The Illinois Environmental Protection Agency ("Illinois EPA" of "Agency"), by and through its attorneys, herby submits pre-filed questions to CITGO and PDV Midwest, regarding the pre-filed testimony of James Huff in the above captioned case. The Agency reserves the right to ask additional follow-up questions if necessary.

1. In their current altered state, what is the difference between the "natural" waterways and the artificial streams?
  - a. Does the "natural" stream have:
    - i. Gently sloping riparian area?
    - ii. Well developed littoral zone?
  - b. Do you believe that since the Chicago Sanitary and Ship Canal is not a "natural waterway" that it cannot support tolerant types of aquatic life populations?
  - c. Do you know what types of fish that were found during the application of rotenone?
  - d. Are channel catfish tolerant in respect to dissolved oxygen?
2. Will discharges under your proposed Use C designation need to meet water quality standards downstream?

3. The electric barrier is expected to block fish from moving through the barrier.

will macroinvertebrates be impacted from the barrier?

4. Does your proposal protect the macroinvertebrates?

5. The Black Safety Zone includes all of the electric barriers. The Coast Guard has set up a Regulated Navigation Zone upstream and downstream of the Black Safety Zone. Why did they set up a Regulated Navigation Zone?

6. Are fish expected in the Regulated Navigation Zone?

7. Do you know the cause of the non-winter high chloride levels?

a. 580 mg/L 7/2/10

b. 554 mg/L 8/6/10

c. 503 mg/L 8/16/10

d. 620 mg/L 9/3/10

e. 596 mg/L 10/1/10

f. 894 mg/L 10/18/10

g. 646 mg/L 10/29/10

8. In paragraph 3 of page 2 of your Pre-filed Testimony you state: "A proper consideration of the uniqueness of the artificially created and physically constrained Lower Ship Canal is lost by including it in this [Aquatic Life Use B] grouping." With respect to aquatic life, please describe how the Lower Ship Canal differs from all other waters the Agency has included in its proposed Aquatic Life Use B designation.

9. On Page 6 of your Pre-filed Testimony you state: "These electric barriers will not only prevent the aquatic invasive species from migrating, but they will also

prevent all other fish from migrating up or down the Lower Ship Canal at Lockport, effectively terminating the water body at this point from a biological perspective.”

a) What do you mean by “terminate the water body from a biological perspective?”

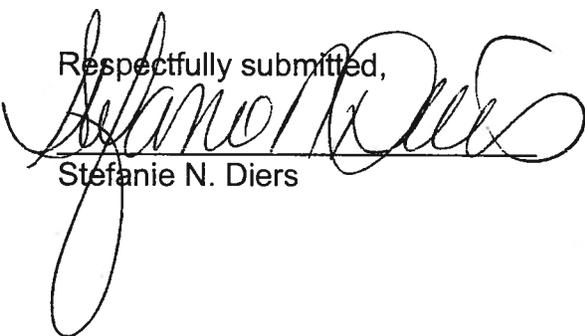
b) Do fish have access to the lower CSSC above and up to the electrical barrier from locations further upstream?

c) Do fish have access to the lower CSSC below and up to the electrical barrier from locations further downstream?

10. How many discharges are there to the proposed Use C waters?

11. Why can't CITGO achieve 500 mg/L chloride in its effluent? What effluent limit could Citgo achieve?

Respectfully submitted,

  
Stefanie N. Diers

Dated: February 22, 2011

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STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON )

SS

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached ILLINOIS EPA'S PRE-FILED QUESTIONS FOR JAMES HUFF upon the person to whom it is directed by placing it an envelope addressed to:

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

and mailing it by Overnight Mail from Springfield, Illinois on February 22, 2011, with sufficient postage affixed and by mailing it by First Class Mail from Springfield, Illinois on February 22, 2011, with sufficient postage affixed to the Attached Service List.

*Cindy Wolfe*

SUBSCRIBED AND SWORN TO BEFORE ME

This 22<sup>nd</sup> day of February 2011

*Blenda Boehner*  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCLED PAPER**