



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

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JUN 08 2011

STATE OF ILLINOIS  
Pollution Control Board

JUN 07 2011

REPLY TO THE ATTENTION OF:

Illinois Pollution Control Board, Clerk's Office  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, Illinois 60601

PC#994

**Re: R08-09A: Proposed Second Opinion and Order**

Mr. Chairman and Board Members:

The U.S. Environmental Protection Agency commends the Board for taking prompt action toward adoption of Primary Contact Recreation use designations for the five segments of the Chicago Area Waterway System identified in U.S. EPA's May 11, 2011 determination letter. We urge adoption of those designations for those five segments at the Board's regular meeting next week.

U.S. EPA also recommends that the Board clarify in its second notice opinion, order and rule that Illinois' existing, federally-approved fecal coliform criteria for protection of primary contact recreation, 35 Ill. Adm. Code 302.209, apply to these five segments.

The issues raised in U.S. EPA's May 11, 2011 letter will be adequately addressed if the Board adopts a final rule by August 27, 2011 that: (1) establishes a Primary Contact Recreation use designation for the five segments identified in the determination letter; and (2) clarifies that existing Illinois fecal coliform criteria are applicable to that use designation.

Finally, please note that there appears to be a typographical error in the text of proposed new Section 303.220, which refers to "35 Ill. Adm. Code 301.282" rather than "35 Ill. Adm. Code 301.323."

Once again, we appreciate the Board's prompt response to U.S. EPA's determination letter for the Chicago Area Waterway System.

Sincerely,

Tinka G. Hyde  
Director, Water Division