

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
WATER QUALITY STANDARDS AND)	R08-9 Subdocket D
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 the STEPAN COMPANY'S PRE-FILED QUESTIONS FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND SCOTT TWAIT, a copy of which is herewith served upon you.

STEPAN COMPANY

DATE: June 24, 2013

/s/ Thomas W. Dimond
 Thomas W. Dimond

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 24th day of June 2013, I have served electronically the attached STEPAN COMPANY COMPANY'S PRE-FILED QUESTIONS FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND SCOTT TWAIT , 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
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/s/ Thomas W. Dimond

Thomas W. Dimond

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STEPAN COMPANY’S QUESTIONS
FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
AND SCOTT TWAIT

NOW COMES Stepan Company, by and through its attorneys, Ice Miller LLP, and submits the following questions based upon the Illinois Environmental Protection Agency's (“Agency”) Motion to Amend Regulatory Proposal Filed in 2007, Amendments to Part 302 Proposal and Testimony of Scott Twait in this matter.

1. Is it the Agency's intention that its revised proposal for 35 IAC Part 302, in particular its proposed deletion of proposed 35 IAC § 303.237 and the corresponding deletions of references to Section 303.237 in the "scope and applicability" provisions of proposed 35 IAC §§ 302.101(d) and 302.401, leaves the Upper Dresden Island Pool subject to 35 IAC Subpart D standards? If no, what standards does the Agency intend to apply to the waters of the Upper Dresden Island Pool? If yes, does the Agency's proposal repeal all existing numeric criteria for thermal or dissolved oxygen for the Upper Dresden Island Pool with no new numeric criteria for thermal or dissolved oxygen applicable to those same waters?

2. Does the Agency believe the temperatures measured at the Route 83 and Cal Sag Channel station are more representative of the background temperatures in the Lower Des Plaines River than the temperatures measured at the Route 83 and CSSC station? If yes, why?

3. Approximately what percentage of the flow in the Lower Des Plaines River originates from the Cal Sag Channel? Approximately what percentage of the flow in the Lower Des Plaines River originates from the CSSC?

4. With regard to the Agency's proposed 35 IAC 302.405(c), is it the Agency's intent to require calculations to be made on a rolling 24-hour basis? In other words, if a measurement of dissolved oxygen is collected and recorded for each hour, does 302.405(c)(1) require the calculation of a 24-hour arithmetic mean for each hour? And, does 302.405(c)(2) require the calculation of a minimum value for each hour based on the measurements recorded for that hour and the preceding 23 hours?

5. With regard to the Agency's proposed 35 IAC 302.405(c)(1), is it the Agency's intent that a daily mean can only be calculated if hourly data exists for 24 consecutive hours? In other words, if a measurement of dissolved oxygen is collected and recorded for 23 or fewer hours during a 24-hour period, can the arithmetic mean be based on the 23 or fewer measurements?

6. The Agency proposed to remove the phrase "on an average basis" from the end of its proposed 35 IAC 302.408(b), which establishes numeric thermal criteria for CAWS Aquatic Life Use A waters. The Agency did not propose to remove the apparently identical phrase from its proposed 35 IAC 302.408(c), which establishes numeric thermal criteria for CAWS Aquatic Life Use B waters. Did the Agency intend to remove the phrase "on an average basis" from 35 IAC 302.408(c), too?

STEPAN COMPANY

Date: June 24, 2013

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One of its Attorneys

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