

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

WATER QUALITY STANDARDS AND )  
EFFLUENT LIMITATIONS FOR THE ) R08-9 (D)  
CHICAGO AREA WATERWAY SYSTEM ) (Rulemaking – Water)  
AND THE LOWER DES PLAINES RIVER: )  
PROPOSED AMENDMENTS TO 35 ILL. )  
ADM. CODE PARTS 301, 302, 303 and 304 )

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Ms. Marie E. Tipsord
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board **EXXONMOBIL OIL CORPORATION'S COMMENT IN SUPPORT OF A SEPARATE SUBDOCKET FOR THE DEVELOPMENT OF A CHLORIDE STANDARD**, a copy of which is herewith served upon you.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,

Dated: January 31, 2014

By: /s/ Katherine D. Hodge  
Katherine D. Hodge

Katherine D. Hodge  
Matthew C. Read  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached **EXXONMOBIL OIL CORPORATION'S COMMENT IN SUPPORT OF A SEPARATE SUBDOCKET FOR THE DEVELOPMENT OF A CHLORIDE STANDARD** upon:

Mr. John T. Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on January 31, 2014; and upon:

Ms. Marie E. Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Stefanie N. Diers, Esq.  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Matthew J. Dunn, Esq.  
Thomas H. Shepherd, Esq.  
Environmental Enforcement Division  
Office of the Attorney General  
State of Illinois  
69 West Washington, 18th Floor  
Chicago, Illinois 60602

Frederick M. Feldman, Esq.  
Ronald M. Hill, Esq.  
Margaret T. Conway  
Metropolitan Water Reclamation District  
100 East Erie Street  
Chicago, Illinois 60611

Jeffrey C. Fort, Esq.  
Irina Dashevsky  
Dentons US LLP  
233 South Wacker Drive, Suite 7800  
Chicago, Illinois 60606-6404

Susan Charles, Esq.  
Thomas W. Dimond, Esq.  
Ice Miller LLP  
200 West Madison, Suite 3500  
Chicago, Illinois 60606

Claire A. Manning, Esq.  
Brown, Hay & Stephens, LLP  
700 First Mercantile Bank Building  
205 South Fifth Street  
Post Office Box 2459  
Springfield, Illinois 62705-2459

Mr. Bernard Sawyer  
Mr. Thomas Granato  
Metropolitan Water Reclamation District  
6001 West Pershing Road  
Cicero, Illinois 60650-4112

Mr. Robert VanGyseghem  
City of Geneva  
1800 South Street  
Geneva, Illinois 60134-2203

Ms. Lisa Frede  
Chemical Industry Council of Illinois  
1400 East Touhy Avenue, Suite 110  
Des Plaines, Illinois 60019-3338

Jerry Paulsen, Esq.  
Cindy Skrukud  
Environmental Defenders of  
McHenry County  
110 S. Johnson Street, Suite 106  
Woodstock, Illinois 60098

Fredric P. Andes, Esq.  
Erika K. Powers, Esq.  
Barnes & Thornburg  
1 North Wacker Drive, Suite 4400  
Chicago, Illinois 60606

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

Erin L. Brooks, Esq.  
Bryan Cave LLP  
211 North Broadway, Ste. 3600  
St. Louis, Missouri 63102

Mr. Keith I. Harley, Esq.  
Ms. Elizabeth Schenkler  
Chicago Legal Clinic, Inc.  
211 West Wacker Drive, Suite 750  
Chicago, Illinois 60606

Mr. Mark Schultz  
Navy Facilities and  
Engineering Command  
201 Decatur Avenue, Bldg. 1A  
Great Lakes, Illinois 60088-2801

Frederick D. Keady, P.E.  
Vermilion Coal Company  
1979 Johns Drive  
Glenview, Illinois 60025

Ms. Kay Anderson  
American Bottoms RWTF  
One American Bottoms Road  
Sauget, Illinois 62201

W.C. Blanton, Esq.  
Husch Blackwell LLP  
4801 Main Street  
Suite 1000  
Kansas City, Missouri 64112

Jessica Dexter, Esq.  
Environmental Law & Policy Center  
35 East Wacker, Suite 1600  
Chicago, Illinois 60601

Mr. James E. Eggen  
City of Joliet, Department of Public  
Work and Utilities  
150 W. Jefferson Street  
Joliet, Illinois 60432

Ms. Cathy Hudzik  
City of Chicago – Mayor's Office  
of Intergovernmental Affairs  
121 North LaSalle Street  
City Hall – Room 406  
Chicago, Illinois 60602

Mr. Jack Darin  
Sierra Club  
70 East Lake Street, Suite 1500  
Chicago, Illinois 60601-7447

Dr. Thomas J. Murphy  
2325 North Clifton Street  
Chicago, Illinois 60614

Mr. Bob Carter  
Bloomington Normal Water  
Reclamation District  
Post Office Box 3307  
Bloomington, Illinois 61702-3307

Ms. Olivia Dorothy  
Office of Lt. Governor  
Room 414 State House  
Springfield, Illinois 62706

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

Ms. Vicky McKinley  
Evanston Environment Board  
223 Grey Avenue  
Evanston, Illinois 60202

Susan M. Franzetti, Esq.  
Kristen Laughridge Gale, Esq.  
Nijman Franzetti LLP  
10 South LaSalle Street, Suite 3600  
Chicago, Illinois 60603

Mr. Irwin Polls  
Ecological Monitoring and Assessment  
3206 Maple Leaf Drive  
Glenview, Illinois 60025

Stacy Meyers-Glen, Esq.  
Openlands  
25 East Washington Street, Suite 1650  
Chicago, Illinois 60602

Mr. Lyman C. Welch  
Alliance for the Great Lakes  
17 N. State Street, Suite 1390  
Chicago, Illinois 60602

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

Ann Alexander, Esq.  
Natural Resources Defense Council  
2 North Riverside Plaza, Suite 2250  
Chicago, Illinois 60606

Roy M. Harsch, Esq.  
Drinker Biddle & Reath  
191 North Wacker Drive, Suite 3700  
Chicago, Illinois 60606-1698

Albert Ettinger, Esq.  
53 West Jackson  
Suite 1664  
Chicago, Illinois 60604

Jared Policicchio, Esq.  
Chicago Department of Law  
30 N. LaSalle Street  
Suite 900  
Chicago, Illinois 60602

by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois on January 31, 2014.

/s/ Katherine D. Hodge  
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
)  
WATER QUALITY STANDARDS AND )  
EFFLUENT LIMITATIONS FOR THE ) R08-9(D)  
CHICAGO AREA WATERWAY SYSTEM ) (Rulemaking – Water)  
AND THE LOWER DES PLAINES RIVER )  
PROPOSED AMENDMENTS TO 35 ILL. )  
ADM. CODE PARTS 301, 302, 303 and 304 )

**EXXONMOBIL OIL CORPORATION'S COMMENT  
IN SUPPORT OF A SEPARATE SUBDOCKET FOR  
THE DEVELOPMENT OF A CHLORIDE STANDARD**

NOW COMES EXXONMOBIL OIL CORPORATION (“ExxonMobil”), by and through its attorneys, HODGE DWYER & DRIVER, and pursuant to the hearing officer’s request on December 17, 2013, submits the following Comment in Support of a Separate Subdocket for the Development of a Chloride Standard.

On December 17, 2013, ExxonMobil’s witness Lial Tischler presented testimony to the Illinois Pollution Control Board (“Board”) that related to, among other things, the Illinois Environmental Protection Agency’s (“Illinois EPA”) proposed chloride standard. Prior to that hearing, ExxonMobil commented on Illinois EPA’s proposed chloride standard.<sup>1</sup> As noted by Mr. Tischler, serious concerns remain about Illinois EPA’s proposed chloride standard, and an alternative standard may be more appropriate.<sup>2</sup>

---

<sup>1</sup> See e.g., ExxonMobil Oil Corporation’s First Notice Comments, *In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304*, R08-9 (C) at 13 (Ill.Pol.Control.Bd. July 1, 2013 (hereafter rulemaking is cited as “R08-9”).

<sup>2</sup> Pre-Filed Testimony of Lial F. Tischler on Behalf of ExxonMobil Oil Corporation, R08-9(D) at 9-12 (Ill.Pol.Control.Bd. Nov. 22, 2013).

At the hearing on December 17, 2013, the hearing officer requested that any requests to stay the proceeding be directed to the hearing officer by the end of January 2014. It is ExxonMobil's understanding that Illinois EPA now plans to request that the Board create a new subdocket for the development of a chloride standard. ExxonMobil supports the formation of such a subdocket and believes that additional time for negotiations provided by the formation of such a subdocket is necessary considering the unique challenges associated with developing and implementing a standard given the significant seasonal chloride contributions of non-point sources associated with seasonal deicing activities.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,

Dated: January 31, 2014

By: /s/ Katherine D. Hodge  
Katherine D. Hodge

Katherine D. Hodge  
Matthew C. Read  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

MOBO:041/Fil/ Comment in Support of a Separate Subdocket for the Development of a Chloride Standard – Subdocket D