

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SANITARY DISTRICT OF DECATUR,)	
)	
Petitioner,)	
)	PCB 14-111
v.)	(Variance - Water)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

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

Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, IL 62794

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the AGENCY'S RESPONSE TO THE ILLINOIS POLLUTION CONTROL BOARD'S QUESTION PURSUANT TO THE MARCH 18, 2014 HEARING OFFICER ORDER copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

DATED: April 30, 2014

1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794
(217) 782-5544

By: 
Sara Terranova
Assistant Counsel
Division of Legal Counsel

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SANITARY DISTRICT OF DECATUR,)	
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Petitioner,)	
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ILLINOIS ENVIRONMENTAL)	
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AGENCY’S RESPONSE TO THE ILLINOIS POLLUTION CONTROL BOARD’S QUESTION PURSUANT TO THE MARCH 18, 2014 HEARING OFFICER ORDER

NOW COMES the Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”) by one of its attorneys, Sara Terranova, and pursuant to the March 18, 2014 Hearing Officer Order, hereby responds to the Illinois Pollution Control Board’s (Board) Question. The Agency states as follow:

PCB 09-125 Condition 2

This condition directs the Agency to modify the District’s NPDES permit consistent with the PCB 09-125 variance. According to the District’s most recent Interim Report dated December 20, 2013, the Agency has not yet modified the District’s NPDES permit. Exh. I at 1. Please provide an update regarding the status of Decatur’s NPDES permit modification to incorporate the variance in PCB 09-125.

The Board issued the initial variance with conditions in PCB 09-125 on January 7, 2010, directing the Agency to modify the District’s NPDES permit consistent with the Order. That NPDES permit expired on June 30, 2012. The Agency received a timely renewal request from the District on December 27, 2011. Therefore, pursuant to 35 Ill Adm. Code 309.104(a), the District’s NPDES permit is presently administratively continued. The Agency is currently in the process of renewing the District’s NPDES permit and intends to include all applicable provisions of the Board’s PCB 09-125 Order in the draft permit. Pursuant to 35 Ill Adm. Code 309.104(b), as part of the renewal process, the Agency will circulate public notice of the draft permit. Finally, as the Board is aware, pursuant to 40

CFR 123.44 the permit is subject to U.S. EPA review and approval.

The Illinois EPA is aware the District filed a Motion to Stay the Proceeding on April 21, 2014. While the Agency has no objection to the Motion to Stay the Proceeding, the Agency is also cognizant the Board has yet to rule on this matter. Therefore, in accordance with the deadline established in the March 18, 2014 Hearing Officer Order, the Agency is responding to the Board's question as directed.

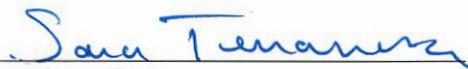
WHEREFORE, the Illinois Environmental Protection Agency submits the above Response to the Illinois Pollution Control Board's Question pursuant to the March 18, 2014 Hearing Officer Order.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

DATED: April 30, 2014

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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served electronically the attached AGENCY'S RESPONSE TO THE ILLINOIS POLLUTION CONTROL BOARD'S QUESTION PURSUANT TO THE MARCH 18, 2014 HEARING OFFICER ORDER of the Illinois Environmental Protection Agency upon:

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

via electronic mail on April 30, 2014; and depositing said documents in the United States Mail, postage prepaid, in Springfield Illinois, on April 30, 2014 to each persons on the attached service list.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

DATED: April 30, 2014

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