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APR 15 2002

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD, STATE OF ILLINOIS

Pollution Control Board

IN THE MATTER OF :

WATER QUALITY AMENDMENTS TO	)	
35 Ill. Adm. Code 302.208(e)-(g), 302.504(a)	)	R02-11
302.575(d), 303.444, 309.141(h); and	)	Rulemaking-Water
PROPOSED 35 Ill. Adm. Code 301.267	)	
301.313, 301.413, 304.120, and 309.157.	)	

*P.e. #20*

NOTICE OF FILING

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PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the WRITTEN COMMENT OF THE ILLINOIS ASSOCIATION OF WASTEWATER AGENCIES, a copy of which is served upon you.

ILLINOIS ASSOCIATION OF WASTEWATER AGENCIES,

By: *Sheila H. Deely*  
One of Its Attorneys

Dated: April 15, 2002

Sheila H. Deely  
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THIS FILING PRINTED ON RECYCLED PAPER

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WRITTEN COMMENT OF THE  
ILLINOIS ASSOCIATION OF WASTEWATER AGENCIES

The Illinois Association of Wastewater Agencies (IAWA), submits this written comment to the Illinois Pollution Control Board (Board) in support of a component of the proposal made by the Illinois Environmental Protection Agency (Agency) in PCB R02-11.

The IAWA endorses the Agency's recommendation to change the term designating the oxygen demand of wastewater treatment effluents from the term five (5) day biochemical oxygen demand to five (5) day carbonaceous biochemical oxygen demand (CBOD<sub>5</sub>). Contrary to the assertions of the environmental groups at the second hearing in this matter, the IAWA believes that the change is not a mechanism to relax existing effluent standards. Rather, it is an attempt to more clearly define the wording and terminology of this existing regulation, in accordance with the Board's historical intent. The accuracy of the BOD<sub>5</sub> test has always been a problem because of the variable contribution of the nitrogenous BOD<sub>5</sub>, to the point that the BOD<sub>5</sub> test is of limited value. From a performance measure, compliance measure, and from an historical regulatory perspective, CBOD<sub>5</sub> is the appropriate test for wastewater discharges.

IAWA urges the Board to adopt the rule as proposed. Concerns regarding ammonia toxicity are properly addressed by Sections 304.105 and 304.122 of the Board's regulations, which are currently the subject of a rulemaking before the Board. *See In the Matter of Proposed*

*Amendments to the Ammonia Nitrogen Standards*, 35 Ill. Adm. Code 302.212, 302.213, 304.122, R02-19. As for concerns about ammonia from a nutrient standpoint, this should be addressed when the United States Environmental Protection Agency issues a new National Criteria Document and the Board is presented with consideration of the adoption of a new standard. Finally, concerns with the individual impact on streams are properly addressed through the Total Maximum Daily Load process on stream reaches. This is not an appropriate issue in this proceeding.

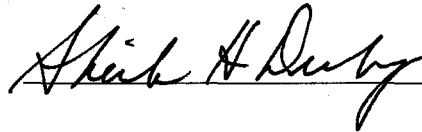
In the prior testimony of Michael Callahan on behalf of IAWA concerning the change from BOD to CBOD, which was presented at the hearing on March 6, 2002, Mr. Callahan referenced testimony and other materials by Dr. John Pfeffer in the R71-14 proceeding. At that hearing, the Board asked IAWA if it could locate a copy of that material. After a thorough search by the Bloomington and Normal Water Reclamation District, counsel for IAWA Gardner Carton and Douglas, and other sources, IAWA has not been able to locate this material.

IAWA also requests that the Board adopt the change to dissolved metals from the current total metals for the reasons presented by the Agency and as further supported by the Galesburg Sanitary District in the Testimony of Steven E. Davis, District Superintendent of the Galesburg Sanitary District (GSD). As testified to by Mr. Davis, GSD, the DeKalb Sanitary District, and other publicly owned treatment works are currently experiencing difficulty in meeting the permit limits derived from the total metals discharge limitation, and are in need of final adoption of these rules. Dissolved metals are a better representation of the biologically active portions of metal.

The IAWA appreciates this opportunity to provide comment in this proceeding.

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing WRITTEN COMMENT OF THE ILLINOIS ASSOCIATION OF WASTEWATER AGENCIES was filed by hand delivery with the Clerk of the Illinois Pollution Control Board and served upon the parties to whom said Notice is directed by first class mail, postage prepaid, by depositing in the U.S. Mail at 321 North Clark Street, Chicago, Illinois on Monday, April 15, 2002.

A handwritten signature in cursive script, appearing to read "Keith H. Deby", is written over a horizontal line.

CH02/22183556.1

**R02-11 Service List  
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April 15, 2002**

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