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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAR 28 2003

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)

PROPOSED AMENDMENTS TO:)

PART 309 SUBPART A-)

35 Ill. Adm. Code 309.105, 309.107, 309.108,)

309.109, 309.110, 309.112, 309.113, 309.114,)

309.117, 309.119, 309.143, 309.146; and)

PROPOSED 35 Ill. Adm. Code 120 through 122-)

NPDES PERMITS AND PERMITTING PROCEDURES)

3
R01-19
(Rulemaking-Water)

NOTICE OF FILING

Dorothy Gunn, Clerk
Pollution Control Board
100 West Randolph Street
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Chicago, Illinois 60601

Marie E. Tipsord
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
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Illinois Attorney General's Office
Environmental Control Division
James R. Thompson Center
100 West Randolph Street
Chicago, Illinois 60601

Legal Service
Illinois Department of Natural Resources
524 South Second Street
Springfield, Illinois 62701-1787

Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the **WRITTEN TESTIMONY OF TOBY FREVERT** of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Sanjay K Sofat, Assistant Counsel
Division of Legal Counsel

Dated: March 26, 2003
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
(217) 782-5544

THIS FILING PRINTED ON RECYCLED PAPER

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³
R07-19
(Rulemaking-Water)

TESTIMONY OF TOBY FREVERT

My name is Toby Frevert and I am the Manager of the Division of Water Pollution within the Bureau of Water of the Illinois Environmental Protection Agency ("Illinois EPA"). I have been with the Illinois EPA in excess of 20 years.

My testimony will provide a brief overview of the actions that the Agency has taken since the March 17, 2003 hearing on this matter. First, the Agency is in the process of thoroughly reviewing the proposed rulemaking. This review contains an in-depth analysis of the existing regulations to ensure that the proposed rulemaking does not duplicate the language or the concept that is already covered by the existing regulations. After this analysis, the Agency intends to modify the proposed language or suggest alternative language where such changes are warranted. Second, the Agency has met with the proponents and have meetings scheduled with the other major stakeholders to discuss in detail the elements of the proposal. These meetings will allow the Agency to better understand the views of the various stakeholders and would

also allow the Agency to make recommendations to the Board that have been argued, if not agreed upon, by the interested stakeholders. I will report on the status of these discussions to the Board at the April 2, 2003 hearing.

This concludes my pre-filed testimony. I will be supplementing the testimony as needed during the hearing. I would be happy to address any questions.

By: 
Toby Frevert

March 26, 2003

Illinois Environmental Protection Agency

1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

STATE OF ILLINOIS
COUNTY OF SANGAMON

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) SS
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)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached **WRITTEN TESTIMONY OF TOBY FREVERT** upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy Gunn, Clerk
Pollution Control Board
100 West Randolph Street
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(OVERNIGHT MAIL)

(VIA FAX) & (OVERNIGHT MAIL)

Mathew Dunn
Illinois Attorney General's Office
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Chicago, Illinois 60601

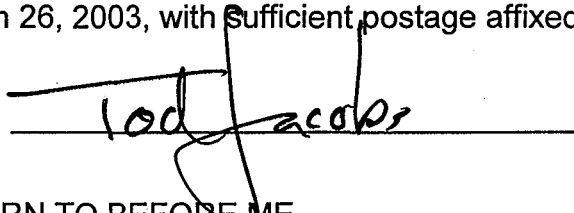
Legal Service
Illinois Department of Natural Resources
524 South Second Street
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(OVERNIGHT MAIL)

(OVERNIGHT MAIL)

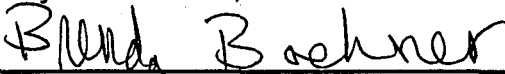
Attached Service List
(FIRST CLASS)

and mailing it from Springfield, Illinois on March 26, 2003, with sufficient postage affixed as indicated above.



SUBSCRIBED AND SWORN TO BEFORE ME

this day of March 26, 2003.



Notary Public



SERVICE LIST

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R03-19 (NPDES Rulemaking)

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