

AUG 25 2004

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO)
DISSOLVED OXYGEN STANDARD 35 ILL.)
ADM. CODE 302.206)
)

R04-25
(Rulemaking - Water)

PC#2

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST.

PLEASE TAKE NOTICE that on Wednesday, August 25, 2004, we filed the attached **Metropolitan Water Reclamation District's Comments to Proposed Amendments To Dissolved Oxygen Standard** with the Clerk of the Pollution Control Board, a copy of which is herewith served upon you.

METROPOLITAN WATER RECLAMATION
DISTRICT OF GREATER CHICAGO

BY: Michael G. Rosenberg / AJC
Michael G. Rosenberg, its Attorney

Michael G. Rosenberg/Ronald M. Hill
Metropolitan Water Reclamation
District of Greater Chicago
100 East Erie Street
Chicago, IL 60611
(312) 751-6583

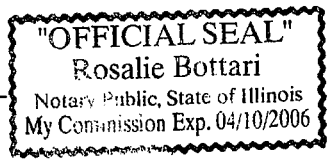
CERTIFICATE OF SERVICE

I, Judith A. Pappalardo, being duly sworn on oath, certify that I caused a copy of the attached **Comments of the Metropolitan Water Reclamation District of Greater Chicago** to be sent via first class U.S. Mail to the individuals identified on the attached service list, at their addresses as shown, with proper postage prepaid, from 100 E. Erie Street, Chicago, Illinois, at or near the hour of 4:00 p.m., this 25th day of August, 2004.

Judith A. Pappalardo

SUBSCRIBED and SWORN to before
me this 25th day of August, 2004.

Rosalie Bottari
Notary Public



RH:jp

SERVICE LIST

Office of the Attorney General
Interested Party
188 W. Randolph, 20th Floor
Chicago, IL 60601

Gardner, Carton & Douglas
Interested Party
191 N. Wacker Drive, Suite 3700
Chicago, IL 60606-1698

Sonnenschein, Nath & Rosenthal
Interested Party
8000 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6404

Illinois Environmental Regulatory Group
Interested Party
3150 Roland Avenue
Springfield, IL 62703

Thorn Creek Basin Sanitary District
Interested Party
700 West End Avenue
Chicago Heights, IL 60411

Hedinger Law Office
Interested Party
2601 S. Fifth Street
Springfield, IL 62703

Fred L. Hubbard, Attorney at Law
Interested Party
415 N. Gilbert Street
Danville, IL 61834-0012

IEPA
Respondent
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Hodge, Dwyer, Zeman
Interested Party
3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705-5776

Ross & Hardies
Interested Party
150 N. Michigan Avenue, Suite 2500
Chicago, IL 60601-7567

Chemical Industry Council of Illinois
Interested Party
2250 E. Devon Avenue, Suite 239
Des Plaines, IL 60018-4509

Illinois-American Water Company
Interested Party
300 N. Water Works Drive
P.O. Box 24040
Belleville, IL 62223-9040

Vermillion Coal Company
Interested Party
1979 Johns Drive
Glenview, IL 60025

Blackwell, Sanders, Peper, Martin LLP
Interested Party
2300 Main Street, Suite 1000
Kansas City, MO 64108

Illinois Pollution Control Board
Interested Party
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

City of Joliet
Department of Public Works and Utilities
Interested Party
921 E. Washington Street
Joliet, IL 60431

Bloomington/Normal Water Reclamation District
Interested Party
P.O. Box 3307
Bloomington, IL 61702-3307

Downers Grove Sanitary District
Interested Party
2710 Curtiss Street
Downers Grove, IL 60515

Fox Metro Water Reclamation District
Interested Party
682 State Route 31
Oswego, IL 60543

Illinois Department of Natural Resources
Interested Party
One Natural Resources Way
Springfield, IL 62702-1271

Posegate & Denes, P.C.
Interested Party
111 N. Sixth Street
Springfield, IL 62705

Barnes & Thornburg
Interested Party
1 N. Wacker, Suite 4400
Chicago, IL 60606

Environmental Law & Policy Center
Interested Party
35 E. Wacker, Suite 1300
Chicago, IL 60601

Evanston Environment Board
Interested Party
223 Grey Avenue
Evanston, IL 60202

Office of Lt. Governor Pat Quinn
Interested Party
Room 214 State House
Springfield, IL 62706

Ecological Monitoring and Assessment
Interested Party
3206 Maple Leaf Drive
Glenview, IL 60025

City of Geneva
Interested Party
22 South First Street
Geneva, IL 60134-2203

ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

AUG 25 2004

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Pollution Control Board

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METROPOLITAN WATER RECLAMATION DISTRICT OF
GREATER CHICAGO's COMMENTS TO PROPOSED AMENDMENTS TO DISSOLVED
OXYGEN STANDARD

The Metropolitan Water Reclamation District of Greater Chicago ("District"), submits the following comments in support of the proposed amendments to 35 Ill. Adm. Code Part 309.206.

1. My name is Richard Lanyon. I am the Director of Research and Development for the Metropolitan Water Reclamation District of Greater Chicago. I am submitting the following statement on behalf of the District in support of the subject proposed amendments to the dissolved oxygen standards for General Use waters in Illinois.

2. The District is a unit of local government created by the state legislature for the purpose of collecting and disposing of sewerage, reducing pollution of the waterways and preventing flooding. 70 ILCS 2605/1, *et seq.* ("District Act"). The District's service area is most of Cook County. In its capacity as a water reclamation district, the District operates seven treatment facilities in its service area, serves five million residents and treats an average of 1.4 billion gallons of sewage daily. Each of the District's seven wastewater treatment

plants operate pursuant to a NPDES permit issued by the Illinois Environmental Protection Agency (“IEPA”).

3. The existing General Use water quality standard for dissolved oxygen, which was adopted by the Board in 1972, is too conservative for most freshwater systems in Illinois, and should be amended, as proposed, to more realistically reflect current scientific knowledge on this subject.

4. The proposed dissolved oxygen standards are generally equivalent to, or more conservative than the published United States Environmental Protection Agency (“USEPA”) dissolved oxygen guidelines. In previous Board rulemakings, USEPA guidelines have always been considered strong technical frameworks to follow.

5. The proposed dissolved oxygen standards include seasonally appropriate values that account for natural fluctuations in dissolved oxygen concentrations while remaining protective of aquatic life and life stages in Illinois waters.

6. The District has been conducting fish monitoring in Chicago area waterways for 30 years. The technical reports submitted by the Petitioners in support of the proposed amendments adequately document that all indigenous fish species we have observed in local waterways will be protected if the proposed standards are adopted.

7. The current General Use dissolved oxygen standard is cumbersome to apply as it sets a different limit for a part of the day that is not based on clock hours. The upper limit dissolved oxygen standard of 6.0 mg/L must be equaled or exceeded for 16 hours of the 24-hour day and the lower limit of 5.0 mg/L must be equaled or exceeded at all times. The part of the day to which the 16-hour period applies is not specified. Dissolved oxygen in streams subject to production, respiration and diffusion phenomena varies with higher con-

centrations during daylight hours and lower concentrations during nighttime hours. The proposal for one limit for an entire 24-hour period will make it easier for both the regulated community and the regulators to determine and maintain compliance with the standard.

8. The proposed dissolved oxygen limits can be easily and practically met in streams receiving the discharge of effluents from properly operated conventional municipal wastewater treatment plants.

In summary, the proposed amendments are in accordance with USEPA guidance and are protective of aquatic life in Illinois. Therefore, the District recommends that they be approved by the Board.

Metropolitan Water Reclamation District
of Greater Chicago,

By: 
Richard Lanyon, Director of R&D

August 25th, 2004

Metropolitan Water Reclamation
District of Greater Chicago
100 East Erie
Chicago, Illinois 60611
312.751.5190

THIS FILING IS SUBMITTED ON RECYCLED PAPER