

ILLINOIS POLLUTION CONTROL BOARD

November 23, 2004

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:

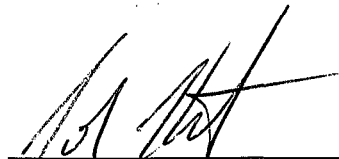
INTERIM PHOSPHORUS EFFLEUNT)	R04-26
STANDARD, PROPOSED 35 ILL. ADM.)	(Rulemaking - Water)
CODE 304.123(G-K))	

On October 25, 2004, a hearing was held in this matter at the Illinois Department of Natural Resources, Lakeview A, B, and C, One Natural Resources Way, Springfield, Sangamon County. Mr. Sanjay K. Sofat appeared and participated on behalf of the petitioner Illinois Environmental Protection Agency (Agency). Mr. Roy M. Harsch appeared and participated on behalf of the Illinois Association of Wastewater Agencies. Mr. Albert F. Ettinger appeared and participated on behalf of the Environmental Law and Policy Center, the Prairie Rivers Network and the Sierra Club. Mr. Robert A. Messina appeared and participated on behalf of the Illinois Environmental Regulatory Group. Mr. Ron Hill appeared and participated on behalf of the Metropolitan Water Reclamation District of Greater Chicago.

Seven people provided testimony at the hearing: John R. Sheaffer, Albert Ettinger, Michael Lemke, Beth Wentzel, Richard Lanyon, James Daugherty, and Toby Frevert. The transcript was received at the Board on November 10, 2004. Public comments are due on or before December 10, 2004. To date, two public comments have been received. The first public comment was submitted by Professor Walter K. Dodds on September 8, 2004. The second public comment was submitted by Bruce W. Anderson, D.D.S. on November 22, 2004. Twelve exhibits were offered at the hearing. A summary of the exhibits offered at hearing and their disposition is contained in the attached exhibit list. At the previous hearing on Monday, August 30, 2004, the Agency presented three witnesses: Toby Frevert, Robert Mosher, and Paul Terrio.

No further hearings are currently scheduled for this rulemaking. Once the public comment period expires, the Board will review the record and consider the proposal. Questions concerning the status of the rulemaking should be addressed to the hearing officer or Nancy Miller at (217) 278-3109.

IT IS SO ORDERED.



John Knittle
Hearing Officer
Illinois Pollution Control Board
2125 South First Street
Champaign, Illinois 61820
(217) 278-3109

In compliance with the Americans with Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Dorothy Gunn, Clerk of the Board, at 100 West Randolph St., Suite 11-500, Chicago, Illinois 60601, at telephone number 312/814-6931, fax number 312/814-3669, or TDD number 312/814-6032, five days prior to the hearing.

R04.26Hearing of October 25, 2004Exhibit List

Exhibit	Description	Status
Exhibit 1	John R. Sheaffer Prefiled Testimony	Admitted
Exhibit 2	Wynstone Modular System Report	Admitted
Exhibit 3	North Fork Cleanwater Project Report	Admitted
Exhibit 4	Michael Lemke Prefiled Testimony	Admitted
Exhibit 5	Beth Wentzel Prefiled Testimony	Admitted
Exhibit 6	Northeastern Illinois Planning Commission Water Quality Review	Admitted
Exhibit 7	Albert Ettinger Prefiled Testimony	Admitted
Exhibit 8	Proposed Revisions to Proposal	Admitted
Exhibit 9	Richard Lanyon Prefiled Testimony	Admitted
Exhibit 10	Metropolitan Water Reclamation District of Greater Chicago's (by Richard Lanyon) Prefiled Rebuttal Testimony to Previously Filed Comments of Professor Walter K. Dodds	Admitted
Exhibit 11	Anthropogenic Inputs of Nitrogen and Phosphorus and Riverine Export for Illinois Report by Mark B. Davis	Admitted
Exhibit 12	James Daugherty Prefiled Testimony	Admitted

CERTIFICATION OF SERVICE

It is hereby certified that a true copy of the foregoing order was mailed, first class, to each of the following on November 23, 2004:

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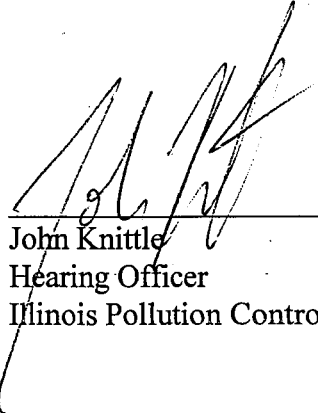
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