

RECEIVED  
CLERK'S OFFICE

MAR 31 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PROPOSED AMENDMENTS TO ) R 04-25  
DISSOLVED OXYGEN STANDARD ) (Rulemaking - Water)  
35 Ill. Adm. Code 302.206 )

NOTICE OF FILING

See Attached Service List

PLEASE TAKE NOTICE that on Thursday, March 31, 2005, we filed the attached Status Report with the Clerk of the Illinois Pollution Control Board, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ASSOCIATION OF WASTEWATER  
AGENCIES

BY: 

One of Its Attorneys

Roy M. Harsch  
GARDNER, CARTON & DOUGLAS  
191 N. Wacker Drive - Suite 3700  
Chicago, Illinois 60606-1698  
(312) 569-1440

THIS FILING IS BEING SUBMITTED ON RECYCLED PAPER

**RECEIVED**  
CLERK'S OFFICE

**MAR 31 2005**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

STATE OF ILLINOIS  
Pollution Control Board

**IN THE MATTER OF:** )  
 )  
**PROPOSED AMENDMENTS TO** ) **R 04-25**  
**DISSOLVED OXYGEN STANDARD** ) **(Rulemaking – Water)**  
**35 Ill. Adm. Code 302.206** )

**STATUS REPORT**

Now comes the Illinois Association of Wastewater Agencies by its attorney, Roy M. Harsch and Gardner Carton & Douglas LLP and files a Status Report in conformance with the Hearing Officer's March 3, 2005 Order.

1. Representatives of Illinois Association of Wastewater Agencies ("IAWA") have been in contact with representatives of the Illinois Environmental Protection Agency ("IEPA"); the Department of Natural Resources ("DNR") and other stakeholders regarding a number of issues. There have been ongoing discussions regarding certain technical issues.

2. Based upon these discussions, it was determined that an additional stakeholder meeting was appropriate. This stakeholder meeting was held on February 23, 2005 at the Illinois Environmental Protection Agency's offices in Springfield. Representatives of various stakeholders including the DNR, IEPA and IAWA attended. In addition representatives from the citizen groups attended.

3. At this stakeholder meeting, the DNR and IEPA discussed their efforts at trying to arrive at an agreed upon joint state position to put forth at the third hearing in this matter. It was agreed that DNR and IEPA would continue to meet to work on this position and inform the other

stakeholders when they had developed such a position and the rationale behind such a position. This work has proceeded, as reported in the February 28, 2005 status report.

4. It was agreed that DNR and IEPA will continue their efforts and report back to the other stakeholders as to their progress and the possible need for a further stakeholder meeting. IAWA understood that DNR and IEPA would provide the stakeholders with written information as to their position and rationale for such a position. With the understanding that this would be forth coming, a stakeholder meeting has been scheduled for April 13, 2005.

5. It is now unclear as to whether any written materials will be shared prior to this scheduled meeting. Dr. Garvey is in the process of attempting to gain an understanding of where DNR and IEPA are with respect to their positions and rationales thereof so as to be in a position to prepare for and be able to respond at the scheduled stakeholder meeting.

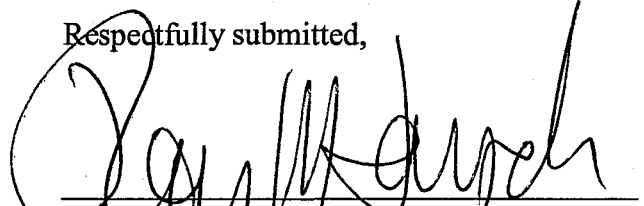
6. If IAWA is not able to be prepared there would appear little to be gained in going forward with the April 13, 2005 meeting.

7. IAWA has been hopeful that further progress can be made at resolving outstanding different points of view regarding this proposal as DNR and IEPA continue work jointly. IAWA looks forward to the next stakeholder meeting in the hopes that real progress can be made to move this matter forward. Such progress will depend upon the Stakeholders being in a position to be prepared to respond in a meaningful manner. If not, IAWA will consider seeking to delay the April 13<sup>th</sup> meeting until such time as it is apprised fully of the DNR and IEPA position, the rationale for the position and therefore be prepared for meaningful discussions.

8. Accordingly IAWA proposes that and would request the Hearing Officer enter an Order scheduling an additional Status Report to be filed by IAWA on or before April 30, 2005. In this Status Report, IAWA will explain the progress to date, the status of stakeholder

discussions and results of possible meetings. Also IAWA will include if appropriate the suggested dates for a third hearing as set forth in the March 3, 2005 Order.

Respectfully submitted,



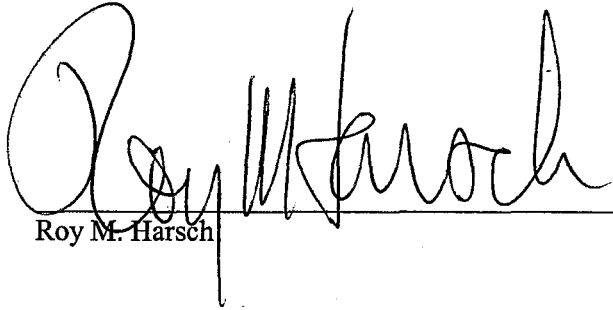
Roy M. Harsch on behalf of  
Illinois Association of Wastewater Agencies

CH02/22375758.1

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing **Status Report** 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 191 North Wacker Drive, Chicago, Illinois on Thursday, March 31, 2005.

**SEE ATTACHED SERVICE LIST**



Roy M. Harsch

**Service List**

**R2004-025**

<p>Fred L. Hubbard 415 North Gilbert Street Danville, IL 61834-0012</p>	<p>Alex Messina Illinois Environmental Regulatory Group 3150 Roland Avenue Springfield, IL 62703</p>
<p>Bernard Sawyer Metropolitan Water Reclamation District 6001 W. Pershing Rd. Cicero, IL 60650-4112</p>	<p>Charles W. Wesselhoft Ross &amp; Hardies 150 North Michigan Avenue Suite 2500 Chicago, IL 60601-7567</p>
<p>Claire A. Manning Posegate &amp; Denes, P.C. 111 N. Sixth Street Springfield, IL 62705</p>	<p>Connie L. Tonsor IEPA 1021 North Grand Avenue P.O. Box 19276 Springfield, IL 62794-9276</p>
<p>Deborah J. Williams IEPA 1021 North Grand Avenue P.O. Box 19276 Springfield, IL 62794-9276</p>	<p>Dennis L. Duffield City of Joliet, Department of Public Works and Utilities 921 E. Washington Street Joliet, IL 60431</p>
<p>Dorothy M. Gunn Illinois Pollution Control Board 100 W. Randolph St. Suite 11-500 Chicago, IL 60601</p>	<p>Erika K. Powers Barnes &amp; Thornburg 1 N. Wacker Suite 4400 Chicago, IL 60606</p>
<p>Frederick D. Keady Vermilion Coal 1979 Johns Drive Glenview, IL 60025</p>	<p>James L. Daugherty Thorn Creek Basin Sanitary District 700 West End Avenue Chicago Heights, IL 60411</p>
<p>James T. Harrington Ross &amp; Hardies 150 North Michigan Avenue Suite 2500 Chicago, IL 60601-7567</p>	<p>Joel J. Sternstein Office of the Attorney General 188 West Randolph 20<sup>th</sup> Floor Chicago, IL 60601</p>
<p>John Donahue City of Geneva 22 South First Street Geneva, IL 60134-2203</p>	<p>Jonathan Furr Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702-1271</p>

<p>Katherine D. Hodge Hodge Dwyer Zeman 3150 Roland Avenue P.O. Box 5776 Springfield, IL 62705-5776</p>	<p>Larry Cox Downers Grove Sanitary District 2710 Curtiss Street Downers Grove, IL 60515</p>
<p>Lisa Frede Chemical Industry Council of Illinois 2250 E. Devon Avenue Suite 239 Des Plaines, IL 60018-4509</p>	<p>Margaret Hedinger 2601 South Fifth Street Springfield, IL 62703</p>
<p>Matthew J. Dunn Office of the Attorney General 188 West Randolph 20<sup>th</sup> Floor Chicago, IL 60601</p>	<p>Michael G. Rosenberg, Esq. Metropolitan Water Reclamation District 100 East Erie Street Chicago, IL 60611</p>
<p>Mike Callahan Bloomington Normal Water Reclamation District PO Box 3307 Bloomington, IL 61702-3307</p>	<p>Richard Lanyon Metropolitan Water Reclamation District 100 East Erie Street Chicago, IL 60611</p>
<p>Richard McGill Illinois Pollution Control Board 100 W. Randolph St. Suite 11-500 Chicago, IL 60601</p>	<p>Sanjay K. Sofat IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276</p>
<p>Stephanie N. Diers IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276</p>	<p>Sue Schultz Illinois American Water Company 300 North Water Works Drive P.O. Box 24040 Belleville, IL 62223-9040</p>
<p>Susan M. Franzetti 10 South LaSalle Street Suite 3600 Chicago, IL 60603</p>	<p>Tom Muth Fox Metro Water Reclamation District 682 State Route 31 Oswego, IL 60543</p>
<p>Vicky McKinley Evanston Environment Board 23 Grey Avenue Evanston, IL 60202</p>	<p>W.C. Blanton Blackwell Sanders Peper Martin LLP 2300 Main Street Suite 1000 Kansas City, MO 64108</p>
<p>Edward Hammer U.S. Environmental Protection Agency WQ-16J 77 West Jackson Boulevard Chicago, IL 60604</p>	