

RECEIVED
CLERK'S OFFICE

APR 28 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, April 28, 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

APR 28 2005

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE 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. As previously reported, 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. As previously reported, the DNR and IEPA at this stakeholder meeting 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. As previously reported, 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 was scheduled for April 13, 2005.

5. IAWA decided to cancel the stakeholder meeting because of the absence of progress and the inability of key DNR people to attend the meeting.

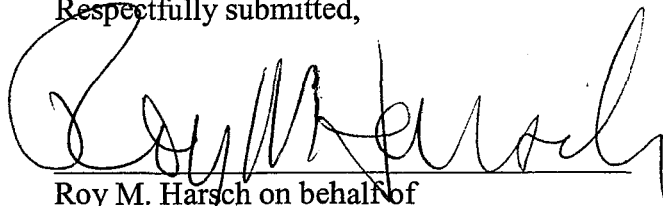
6. Based upon continued discussions it now appears that some further progress has been made in reaching a DNR and IEPA position. Accordingly, another stakeholder meeting has been scheduled for May 5, 2005 at the offices of IEPA in Springfield.

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 May 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 schedule a third hearing in lieu of additional stakeholder meetings in order to allow interested parties to present their comments and testimony on the record.

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 May 3, 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 last Order.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roy M. Harsch", written over a horizontal line.

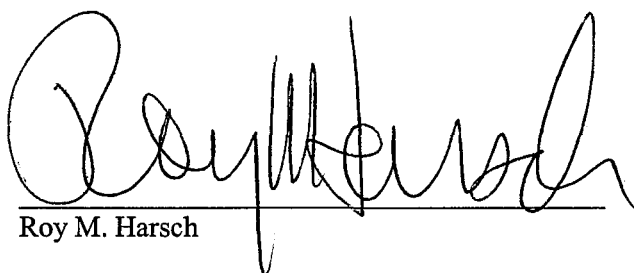
Roy M. Harsch on behalf of
Illinois Association of Wastewater Agencies

CH02/ 22381713.1

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, April 28, 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 & Hardies 150 North Michigan Avenue Suite 2500 Chicago, IL 60601-7567</p>
<p>Claire A. Manning Posegate & 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 & 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 & Hardies 150 North Michigan Avenue Suite 2500 Chicago, IL 60601-7567</p>	<p>Joel J. Sternstein Office of the Attorney General 188 West Randolph 20th 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 20th 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>	