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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

June 8, 2006

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R04-25
DISSOLVED OXYGEN STANDARD 35 ILL.) (Rulemaking - Water)
ADM. CODE 302.206)

NOTICE OF
STATUS CONFERENCE CALL

DATE, TIME, DIAL-IN INFORMATION:

STATUS CONFERENCE CALL: MONDAY, JULY 10, 2006, 10:00 a.m.

Dial-In Number: (312) 569-4000

Identification Number: 347765

PURPOSE OF CALL: Procedural Status
Readiness for Hearing

HEARING OFFICER: Richard R. McGill, Jr.

HEARING OFFICER ORDER

The proponent of this rulemaking is the Illinois Association of Wastewater Agencies (IAWA). IAWA seeks to amend the Board's rule establishing general use water quality standards for dissolved oxygen (35 Ill. Adm. Code 302.206). The most recent public hearing took place in Springfield on April 25, 2006, and was the fourth hearing in this rulemaking. Below is a summary of the June 5, 2006 status conference call, including a discussion of a new exhibit entered into the record, as well as information on the next call, which is scheduled for July 10, 2006.

June 5, 2006 Status Conference Call

The hearing officer was joined on the June 5, 2006 conference call by the following participants: Roy Harsch and Dennis Streicher, IAWA; Stefanie Diers and Roy Smogor, Illinois Environmental Protection Agency (Agency); Stanley Yonkauskki, Joel Cross, and Ann Holtrop, Illinois Department of Natural Resources (DNR); Albert Ettinger, Environmental Law & Policy Center, Prairie Rivers Network, and Sierra Club; Margaret Conway, Metropolitan Water Reclamation District of Greater Chicago; and Greg Buchner, Fox Metro Water Reclamation District.

Mr. Harsch of IAWA stated that IAWA was still receiving and reviewing additional information from DNR. Participants expressed interest in having the hearing officer preside over another conference call to discuss readiness for the next hearing. With the participants' agreement, the hearing officer scheduled a status conference call for July 10, 2006, at 10:00 a.m.

At the conclusion of the June 5, 2006 conference call, the hearing officer noted that since the prior conference call, he had received a compact disc in the mail directly from DNR (mailed disc). DNR explained that some of the information on the mailed disc was previously made a part of the R04-25 record, while other information on the mailed disc was new to this proceeding. The information already in the record was itself in the form of a compact disc, identifying the locations of the streams proposed by DNR and the Agency for enhanced dissolved oxygen protection. *See Exhibit 24 (disc attached to 4/4/06 pre-filed testimony of DNR/Agency).*

According to DNR, the new information on the mailed disc includes: stream segments (stream assessment units) that the Agency identified in the 2006 Assessment Database (as of May 1, 2006) as being aquatic life use impaired (including segments where low dissolved oxygen is identified as a potential cause of impairment); and National Pollutant Discharge Elimination System (NPDES) discharge points and associated metadata. The hearing officer confirmed with DNR that the mailed disc had neither been filed with the Clerk nor served on the R04-25 service list. The hearing officer, without objection from any participant on the conference call, designated the mailed disc as Exhibit 28 for placement into the R04-25 record.

July 10, 2006 Status Conference Call

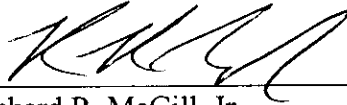
A status conference call is scheduled for Monday, July 10, 2006, at 10:00 a.m. The hearing officer will conduct the status conference, the purpose of which is to have the proponent and other participants provide a status report on their readiness to proceed with the next hearing. Only questions and comments related to the procedural purpose of this status conference will be allowed during the call. The status conference therefore will not be used to discuss the merits of any proposal or to receive evidence. *During the call, participants should be prepared to discuss potential dates in September 2006 for the next hearing, which likely would be held in Springfield.*

Mr. Roy Harsch, counsel for IAWA, has arranged the teleconferencing service for the status conference call. Anyone may participate in the status conference, whether by speaking or merely listening. The dial-in number for the status conference call is (312) 569-4000, with an identification number of 347765. If you are having any difficulty joining the call, please dial (312) 569-1683 and indicate the conference identification number of 347765.

To ensure that enough lines are available for those wishing to participate, please contact the hearing officer at (312) 814-6983 or mcgillr@ipcb.state.il.us by July 6, 2006, if you would like to participate in the status conference call. After the status conference, the hearing officer

will prepare a short report documenting the participants in, and matters discussed during, the call.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. McGill, Jr.', written over a horizontal line.

Richard R. McGill, Jr.
Hearing Officer, Illinois Pollution Control Board
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Chicago, Illinois 60601
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