

Prairie Rivers Network

Protecting Illinois' Streams

P.C. # 5

Executive Director
Jean Flemma

December 18, 2006

Board of Directors

Sent via fax to Deputy Clerk John Therriault at (312) 814-3669

Jon McNussen
President
Villa Grove

Deputy Clerk John Therriault
Illinois Pollution Control Board
James R. Thompson Center
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Suite 11-500
Chicago, Illinois 60601

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STATE OF ILLINOIS
Pollution Control Board

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Urbana

RE: NPDES Permit No. IL0000329, United States Steel Corporation, Granite City Works

Dan Deeb
Chicago

Dear Mr. Therriault:

Eric Freyfogle
Urbana

I am providing these post-hearing comments on behalf of Prairie Rivers Network on the NPDES permit and permitting process for permit #IL0000329 which was discussed at a public hearing in Edwardsville, Illinois on Nov. 20, 2006. Draft NPDES permit #IL0000329 is for the United States Steel Corporation, Granite City Works facility which discharges to Horseshoe Lake in Madison County. I planned on attending the hearing and testifying to the content of the following drafted comments though was unable to due to an illness in my family. I appreciate the opportunity to submit the following concerns to be considered by the Pollution Control Board and included in the public record.

Carolyn Grosboll
Petersburg

Bruce Hannon
Champaign

Jason Lindsey
Champaign

Ward McDonald
Mahomet

Michael Rosenthal
Glencoe

Virginia Scott
Springfield

Prairie Rivers Network is the state affiliate of National Wildlife Federation, a non-profit organization that strives to protect the rivers, streams and lakes of Illinois and to promote the lasting health and beauty of watershed communities. Much of our work focuses on how policies such as the Clean Water Act and Safe Drinking Water Act are used in Illinois - laws intended to protect our waters, our environment, and, ultimately, our health. Prairie Rivers Network has members that live and recreate near Horseshoe Lake, the site of the proposed discharges, and have substantial interest in ensuring that discharges do not impair waters in the area. They depend on clean waters in Horseshoe Lake for recreational activities including boating, fishing, birdwatching and other wildlife viewing as well as fishing as a means of subsistence. We offer the following comments in the matter of the NPDES permitting process for Granite City Steel's discharge to Horseshoe Lake in Madison County.

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The Illinois Affiliate of the National Wildlife Federation

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1) Objection to Denial of Request for an Extension of the Public Comment Period and/or a Public Hearing.

We object to the decision to deny the request for an extension of the public comment period and/or a public hearing. Once a draft NPDES permit is posted for public viewing, members of the public are allowed 30 days to ask questions or provide comments of concern to the permit applicant and the Illinois Environmental Protection Agency. This is not a very long time, given the brief nature of the posted material and the additional information gathering frequently required to fully understand the nature of the discharge and the capacity of the receiving waterbody to assimilate such pollution. According to 35 IAC 309.115(a)(1), there should be "a public hearing on the issuance or denial of an NPDES Permit or group of permits whenever the Agency determines that there exists a significant degree of public interest in the proposed permit or group of permits (instances of doubt shall be resolved in favor of holding the hearing), to warrant the holding of such a hearing." Many issues have been raised with the permit for Granite City Steel's discharge to Horseshoe Lake and such uncertainty with the information, calculations, regulations and judgments used indeed warrants further exploration and discussion with Agency personnel.

We urge the Illinois Pollution Control Board to ensure that the National Pollutant Discharge Elimination System permits process remain fully accessible and participatory for the public as required by the Clean Water Act. This is an essential component in clean water and natural resource protection and must be upheld.

2) Objection to permitted increased discharges of zinc to a zinc-impaired waterbody.

Horseshoe Lake has been listed on the 303(d) list of impaired waterbodies since 1998 due to high levels of zinc in the sediment, among other pollutants. Granite City Steel's permit, in draft and now final form, allows the discharge of zinc into Horseshoe Lake despite and further exacerbating the Lake's zinc-related water and sediment quality problems. Further, the permit allows increased effluent load limits to the lake, violating the anti-backsliding provisions contained in the antidegradation regulations of Illinois law. Further yet, these increases in loading for zinc (as well as lead) were allowed without proper analysis and public notice. According to 35 IAC 302.105(f), an antidegradation analysis must be performed "for any proposed increase in pollutant loading that necessitates the issuance of a new, renewed, or modified NPDES permit."

3) Objection to permitted cyanide limit despite knowledge of permit error.

The effluent limits contained in the permit for cyanide have been set for 0.01 mg/L for a 30-day average, though this is twice the water quality standard for cyanide. Further, the permit engineer who wrote the draft permit (Beth Burkard, Permit No. IL0000329, August 17, 2004) noted that the lower 0.0052 mg/L limit should be used. When pressed on this issue, IEPA personnel have claimed that methods for measuring cyanide do not have detection limits that can reach the water quality standard. This is not accurate as Method OIA-1677: Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry has a detection limit (MDL) of 0.5 µg/L and a minimum level (ML) of 2.0 µg/L and can be used to support the water quality standard.

Secondly, the 30-day average load limits were calculated using the maximum daily flow value, rather than the average daily flow value. This resulted in excessive permitted load limits for the 30-day average load limits of cyanide. Further, the load limit was calculated with the erroneous

concentration limits, as mentioned above, and has resulted in an improperly high loading of cyanide to Horseshoe Lake.

4) Objection to permitted variance for and increased loading of ammonia nitrogen despite long history of violations.

The effluent limits contained in this permit for ammonia nitrogen have been set at levels far too lenient considering 1) the waterbody is listed as impaired on the 303(d) list in part due to ammonia nitrogen, 2) Granite City Steel has committed significant non-compliance effluent violations for ammonia at least 14 times in the last three years and 3) the permit allows increased loading of ammonia nitrogen to the lake, violating the anti-backsliding provisions contained in the antidegradation regulations of Illinois law. Further, as with zinc, this additional loading has been permitted without proper analysis, in the form of an antidegradation assessment, and public notice.

* * * * *

Finally, we urge the Illinois Pollution Control Board to grant a public hearing so that these issues and others may be appropriately addressed by concerned members of the public and Agency personnel. Prairie Rivers Network can think of no better or more appropriate time to hold a public hearing than for a waterbody 1) within a state park 2) that is heavily used for recreational and subsistence fishing purposes, 3) whose quality is already impaired, 4) is in a position to be further impacted by additional discharge and 5) has had numerous citizens or citizen groups submit concerns and requests for a public hearing. Please ensure that the public has an opportunity to fully communicate concerns, the Agency has an opportunity to fully consider and respond to these public concerns and that all relevant information can be brought to light so that this waterbody is appropriately protected.

Sincerely,



Traci Barkley, Watershed Scientist
Prairie Rivers Network