

**Electronic Filing - Received, Clerk's Office, June 27, 2008**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
WATER QUALITY STANDARDS AND ) R08-9  
EFFLUENT LIMITATIONS FOR THE ) (Rulemaking – Water)  
CHICAGO AREA WATERWAY SYSTEM )  
AND LOWER DES PLAINES RIVER )  
PROPOSED AMENDMENTS TO 35 ILL. )  
ADM. CODE 301, 302, 303, and 304 )

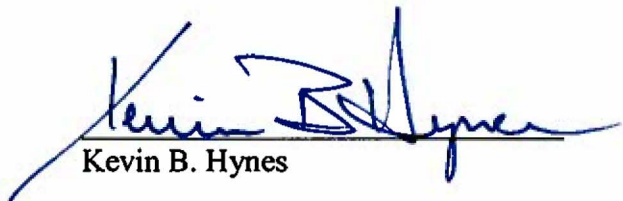
**NOTICE OF FILING**

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board The Chemical Industry Council's Memorandum in Support of the MWRD's Motion to Stay, a copy of which is herewith served upon you.

Dated: June 27, 2008

CHEMICAL INDUSTRY  
COUNCIL OF ILLINOIS

  
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
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WATER QUALITY STANDARDS AND )  
EFFLUENT LIMITATIONS FOR THE ) R08-9  
CHICAGO AREA WATERWAY SYSTEM ) (Rulemaking - Water)  
AND THE LOWER DES PLAINES RIVER: )  
PROPOSED AMENDMENTS TO 35 Ill. )  
Adm. Code Parts 301, 302, 303 and 304 )

**THE CHEMICAL INDUSTRY COUNCIL OF ILLINOIS' MEMORANDUM IN SUPPORT OF MWRD'S MOTION TO STAY**

Pursuant to 35 Ill. Adm. Code 101.514, the Chemical Industry Council of Illinois ("CICI"), submits this Memorandum in Support of the Metropolitan Water Reclamation District of Greater Chicago's ("MWRD") Motion to Stay:

1. The MWRD submitted an extensive motion detailing the deficiencies in this rulemaking, in particular the numerous factual gaps and faulty assumptions made by the Illinois EPA. The MWRD's motion is further supported by Midwest Generation's equally extensive memorandum. CICI joins the MWRD and Midwest Generation in their request to stay these proceedings.

2. As the MWRD and Midwest Generation point out, the record clearly demonstrates that the Illinois EPA's development of the proposed rules suffers obvious problems that should be resolved before proceeding with such a monumental rulemaking.

3. The record reveals a significant lack of data, including information and analysis regarding the assessment of the economic and social impacts of the proposal and a safety and security analysis.

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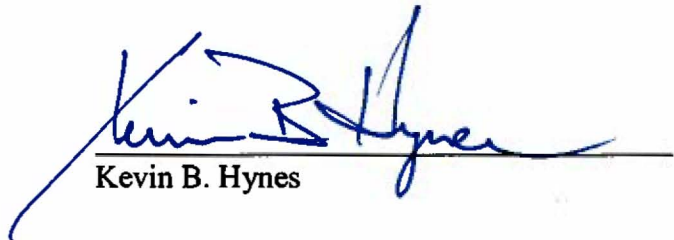
4. There is also a concerning deficiency in the collection and/or analysis of environmental data and information that will likely contribute to the decision-making process. This point could not have been clearer than during Mr. Yoder's testimony.

5. Given these obvious shortcomings, a stay is the minimum procedural step to take at this juncture. The Illinois EPA should be given time to correct the deficiencies in the record. Furthermore, a stay will allow the Illinois EPA to reengage the stakeholders so that this process can move forward efficiently when the stay is lifted.

WHEREFORE, CICI joins with the MWRD and Midwest Generation and requests that the Board stay these proceedings.

Dated: June 27, 2008

CHEMICAL INDUSTRY COUNCIL OF  
ILLINOIS



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**CERTIFICATE OF SERVICE**

I, Kevin B. Hynes, certify that on June 27, 2008 I served electronically the foregoing Notice of Filing and The Chemical Industry Council of Illinois' Memo in Support of the MWRD'S Motion to Stay upon the following person:

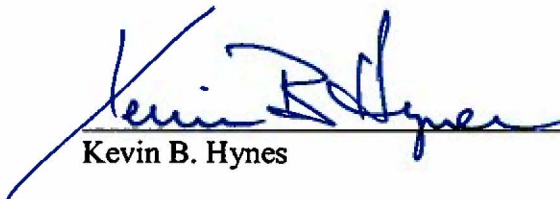
John Therriault, Clerk  
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