

PCB 16-29

EXHIBIT 1

Protecting Our Water Environment

BOARD OF COMMISSIONERS
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Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

DAVID ST. PIERRE

Executive Director

312.751.7900 f: 312.751.7926
david.stpierre@mwrdd.org

June 12, 2015

Dear Stakeholder:

You are cordially invited to the follow-up meeting of the Chicago Area Waterway System (CAWS) Chloride Reduction Initiative. The agenda for this meeting is as follows:

- I. Summarize the Purpose of the CAWS Chloride Reduction Initiative.
- II. Solicit and Finalize the Stakeholder Group (require attached survey to be completed).
- III. Discuss Preparation of Variance.

As you may be aware, the Illinois Pollution Control Board (IPCB) is close to finalizing a new water quality standard for chloride for the CAWS and Lower Des Plaines River (LDPR) (see <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-85804>). Because of the adoption of the chloride water quality standard, where necessary, the Illinois Environmental Protection Agency (Illinois EPA) will be obligated to incorporate chloride limits into the NPDES permits. To address the issue of the new chloride water quality standard and its impact on NPDES permit holders, a stakeholder group is being formed to discuss and develop a variance for the chloride standard that would be filed with the IPCB to address the reduction of salt usage in the CAWS using best management practices. A variance is a relief mechanism granted by the IPCB that allows petitioners to address the high chloride problem without being subject to a chloride water quality standard for a specified time period. Any active member of this stakeholder group may become party to the chloride variance if they so choose.

As an NPDES permit holder with jurisdiction over a large portion of Cook County, Illinois, the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) has been asked by the Illinois EPA to form and administer a stakeholder work group with the ultimate goal of reducing chloride discharges and resulting impacts to the waterways.

An initial kick-off meeting was held at the MWRDGC's Stickney Water Reclamation Plant on January 27, 2015. A follow-up meeting to discuss the CAWS Chloride Reduction Initiative will be held on August 4, 2015 at 10:00 am at the Stickney Water Reclamation Plant (Auditorium) located at 6001 West Pershing Road in Cicero, IL.

If you have any questions, please visit chlorides.mwrdd.org or contact Mr. Antonio Quintanilla of my staff at 312-751-5102. Also, please RSVP via e-mail by July 22, 2015 to Ms. Stephanie Jones at Stephanie.jones@mwrdd.org.

We look forward to seeing you on August 4, 2015.

Sincerely,



David St. Pierre



MPS:AQ:AG

Protecting Our Water Environment

BOARD OF COMMISSIONERS

Kathleen Therese Meany
President

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Metropolitan Water Reclamation District of Greater Chicago

100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-3154 312.751.5600

DAVID ST. PIERRE

Executive Director

November 26, 2014

312.751.7900 f: 312.751.7926
david.stpierre@mwr.org

Dear Potential Stakeholder:

As you may be aware, the Illinois Pollution Control Board (IPCB) is considering a new water quality standard for chloride for the Chicago Area Waterway System (CAWS) and Lower Des Plaines River (LDPR) (see <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-85804>); this may result in a chloride limit in respective National Pollutant Discharge Elimination System (NPDES) permits. To address the issue of the new chloride water quality standard and its impact on NPDES permit holders, a work group is being formed to discuss and develop a variance for the chloride standard that would be filed with the IPCB to address the reduction of salt usage in the CAWS using best management practices. Any active member of this work group may become a party to the chloride variance if they so choose.

As an NPDES permit holder with jurisdiction over a large portion of Cook County, Illinois, the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) has been asked by the Illinois Environmental Protection Agency (IEPA) to form and administer a stakeholder group with the ultimate goal of reducing chloride discharges and resulting impacts to the waterways.

You have been identified as a potential stakeholder and are cordially invited to the kick-off meeting of the CAWS Chloride Reduction Initiative. In this initial meeting, the purpose, goals and implementation of the group will be presented and discussed. The meeting will be held on January 27, 2015, at 10:00 am at the Stickney Water Reclamation Plant (Auditorium) located at 6001 West Pershing Road in Cicero, IL. The agenda for this meeting is as follows:

- I. Introduction
- II. Presentation of Chloride Issue by IEPA
- III. Purpose of CAWS Chloride Reduction Initiative
- IV. Role of Stakeholders

If you have any questions, please contact Mr. Antonio Quintanilla of my staff at 312-751-5102. Also, please RSVP via e-mail by January 16, 2015 to Ms. Stephanie Jones at Stephanie.jones@mwr.org.

We look forward to seeing you on January 27, 2015.

Sincerely,



David St. Pierre

CAWS Chloride Reduction Initiative

Tuesday, January 27, 2015

10 a.m. - noon

Stickney Water Reclamation Plant Auditorium

Cicero, IL

Agenda

Moderator

**Antonio Quintanilla
Assistant Director, Maintenance
and Operations, MWRD**

**Welcoming Remarks and
introduction of Board Members**

**Mariyana T. Spyropoulos
President, MWRD Board of
Commissioners**

Introduction

**David St. Pierre
Executive Director, MWRD**

**Illinois Environmental Protection
Agency**

**Sanjay Sofat, Division Manager,
Water Pollution Control, and
Sara Terranova, Assistant
Counsel, Division of Legal
Counsel**

**Metropolitan Water Reclamation
of Greater Chicago**

**Antonio Quintanilla
Assistant Director, Maintenance
and Operations, MWRD**

Questions and Answers

Refreshments are available in the lobby.

This meeting is being video recorded.



Chloride Issue in the Chicago Area Waterway System

Sanjay Sofat, Division Manager, Water Pollution
Control, Illinois EPA

Sara Terranova, Assistant Counsel, Division of Legal
Counsel, Illinois EPA



Chicago Area Waterway Rulemaking (R08-9)

- R08-9 was filed with the Illinois Pollution Control Board in October 2007



Chicago Area Waterway

Rulemaking (R08-9)

Before this rulemaking, these waterbodies were considered as Secondary Contact:

1. **North Shore Channel – Use A** - Stretches from the Wilmette Pumping Station and Control Works south to its confluence with North Branch Chicago River, just south of Foster Avenue.
2. **North Branch Chicago River – Use A** – Begins at North Branch Chicago River’s confluence with North Shore Channel and flows south to its confluence with both Chicago River and South Branch Chicago River in downtown Chicago. For CAWS rulemaking we proposed the North Branch Chicago River being divided into two reaches:
 - a. the upper reach starts at the confluence with North Shore Channel and ends at the southern end of the North Avenue Turning Basin; and
 - b. the lower reach starts at the southern end of the North Avenue Turning Basin, includes the North Branch Canal (at Goose Island), and ends its confluence with Chicago River and South Branch Chicago River.
3. **Chicago River - General Use** – Begins at the Chicago River Lock and Controlling Works at Lake Michigan and stretches to its confluence with both the North Branch Chicago River and South Branch Chicago River.
4. **South Branch Chicago River – Use A** – Begins at its confluence with both Chicago River and North Branch Chicago River, and flows south and then west. It ends at its confluence with Chicago Sanitary and Ship Canal at Ashland Avenue in Chicago.



Chicago Area Waterway Rulemaking (R08-9)

5. **South Fork tributary to South Branch Chicago River - Secondary Contact and IAL** - Begins at the MWRDGC Racine Avenue combined sewer pump station and ends at its confluence with South Branch Chicago River.
6. **Chicago Sanitary and Ship Canal (CSSC) – Use B** – Begins at its confluence with South Branch Chicago River, flows southwest and then south and ends at its confluence with Des Plaines River. For the rulemaking, the CSSC is divided into two reaches:
 - a. the upper reach starts at the confluence with South Branch Chicago River and ends at its confluence with Calumet-Sag Channel in Willow Springs – Use A; and
 - b. the lower reach starts at the confluence with Calumet-Sag Channel and ends at the confluence with Des Plaines River near the E J & E railroad crossing.

CSSC also includes the Lockport Control Structure, which diverts stormwater from CSSC water into Des Plaines River to prevent upstream flooding and to protect the downstream lock and powerhouse. It also includes the Lockport Lock and Powerhouse which is used to transfer watercraft upstream and downstream and to generate hydroelectric power.



Chicago Area Waterway Rulemaking (R08-9)

7. **Lower Des Plaines River** – For purposes of the rulemaking the Lower Des Plaines River segment begins at its confluence with CSSC, flows south, and ends at the Interstate-55 bridge crossing. Lower Des Plaines River is subdivided in this proposal into two reaches:
 - a. the Brandon Road Pool (Use B) reach of the Lower Des Plaines River starts at the confluence of the Lower Des Plaines River and CSSC and ends at the Brandon Road Lock and Dam in Rockdale; and
 - b. Upper Dresden Island Pool (Upper Dresden Island Pool Aquatic Life Use) starts at the Brandon Road Lock and Dam and ends at the Interstate-55 bridge.
8. **Calumet River – Use A** - Calumet River begins at Lake Michigan and ends at its confluence with both Little Calumet River and Grand Calumet River. For the rulemaking, Calumet River is subdivided into two reaches:
 - a. the north reach begins at Lake Michigan and ends at the Torrence Avenue crossing in Chicago; and
 - b. the south reach begins at the Torrence Avenue crossing and ends the confluence with both Little Calumet River and Grand Calumet River.

Calumet River includes the O'Brien Lock and Controlling Works.



Chicago Area Waterway Rulemaking (R08-9)

9. **Lake Calumet – Use A** - Lake Calumet includes the contiguous waters west of Calumet River and north of an imaginary extension of 126th Street that crosses the lake
10. **Lake Calumet Connecting Channel - Use A** - The term Lake Calumet Connecting Channel is being used to describe the waters beginning at the southern end of Lake Calumet and ending at the confluence with Calumet River.
11. **Grand Calumet River - Use A** - The UAA Grand Calumet River segment begins at the Illinois-Indiana state line in Burnham, flows west, and ends at its confluence with both Calumet River and Little Calumet River. The Grand Calumet River's flow is reverse of its pre-altered direction.
12. **Little Calumet River - Use A** - The UAA part of Little Calumet River begins at its confluence with both Calumet River and Grand Calumet River at the border of Burnham and Chicago, flows west, and the segment ends at its confluence with Calumet-Sag Channel.
13. **Calumet-Sag Channel - Use A** - Calumet-Sag Channel is a human-made channel that begins at its confluence with Little Calumet River, flows west-northwest, and ends at its confluence with CSSC.

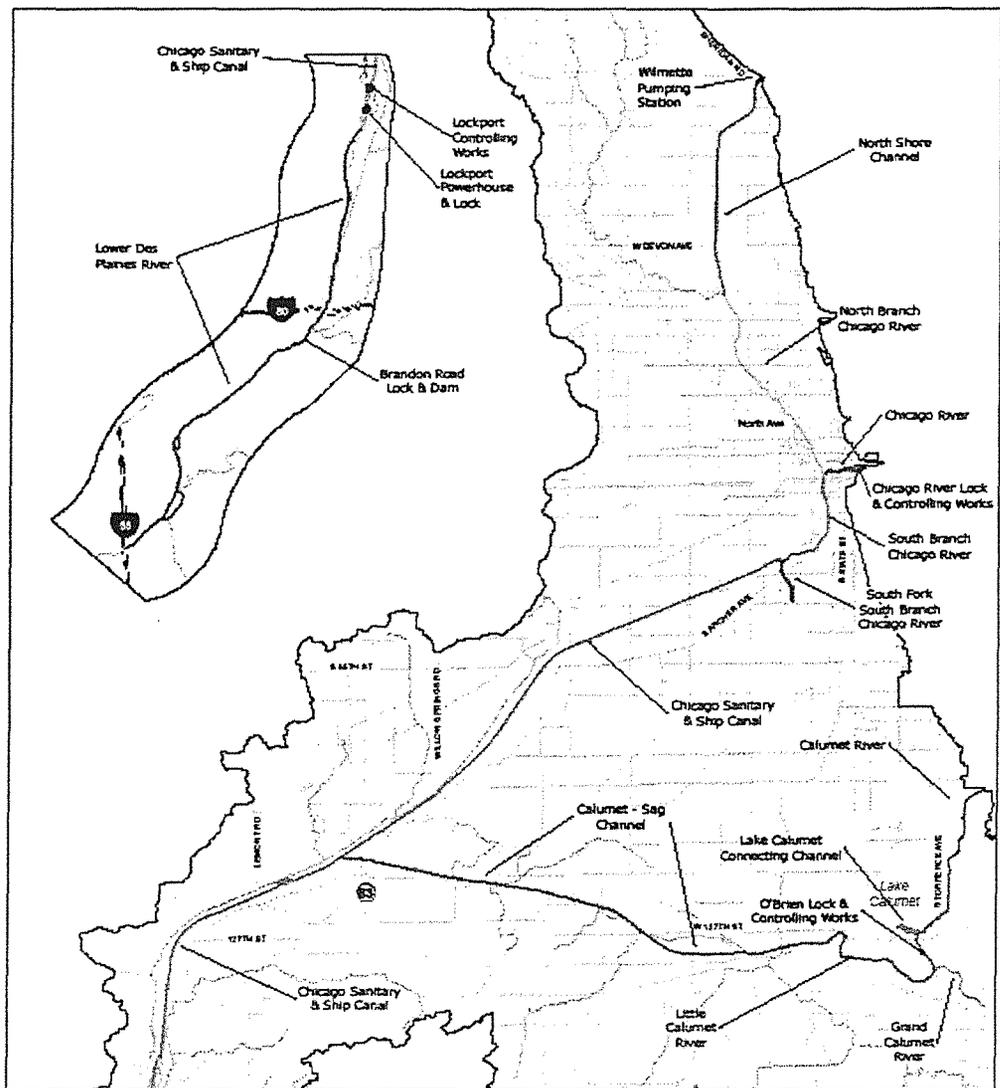


Chicago Area Waterway Rulemaking (R08-9)

Three segments of General Use were added:

1. Chicago River;
 2. Calumet River (from Lake Michigan to the O'Brien Lock and Dam); and
 3. North Shore Channel (from Lake Michigan to the O'Brien WRF).
- These segments were originally Secondary Contact and Indigenous Aquatic Life Use (IAL) use waters.

CHICAGO AREA WATERWAY SYSTEM AND DES PLAINES RIVER UAA SEGMENTS

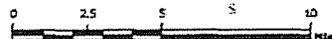


Legend

-  Water Body
-  Stream
-  Major Road



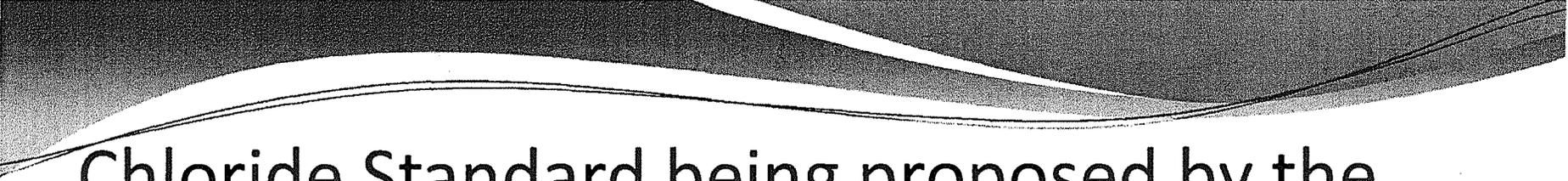
ILLINOIS EPA
BUREAU OF WATER
2007





Chicago Area Waterway Rulemaking (R08-9)

- Four sub-dockets were established in March 2010.
 - Sub-docket A: Completed. Addressed issues related to Recreational Use designations.
 - Sub-docket B: Completed. Addressed issues related to disinfection and whether or not disinfection may or may not be necessary to meet those designations.
 - Sub-docket C: Completed, but currently under review by USEPA. Addressed proposed Aquatic Life Uses.
 - Sub-docket D: First Notice was published on October 1, 2014. Addresses water quality standards and the criteria which are necessary to meet the Aquatic Life Use designations. First notice comments were submitted in November, 2014.



Chloride Standard being proposed by the Board in its Frist Notice Opinion and Order

- The Board proposed a year round single value of 500 mg/L chloride water quality standard for the Upper Dresden Island Pool, Aquatic Life Use A waters and Aquatic Life Use B waters.
- Also, a site specific rule for the Chicago Sanitary and Ship Canal
 - December 1 - April 30
 - Chronic water quality standard of 620 mg/L
 - Acute water quality standard of 990 mg/L



Other proposals before the Board based on First Notice Comments to the Board

- CITGO - Site Specific Rule for the Chicago Sanitary and Ship Canal (proposal Board proposed in its First Notice)
 - December 1 - April 30
 - Chronic water quality standard of 620 mg/L
 - Acute water quality standard of 990 mg/L
- MWRD - The Site Specific Rule proposed by CITGO and the Board in its First Notice Opinion and Order should apply to the remaining CAWS reaches and not just the CSSC.
- Illinois EPA – Proposed:
 - A 500 mg/L standard for the non-winter months (May 1-November 30);
 - A winter concept that would utilize best management practices for point sources and non-point sources in winter months;
 - A water-body specific variance should one be needed and the need for time to address high chloride concentrations in these waters; and
 - Another sub-docket be opened in the rulemaking or that the Board delay a decision with respect to a chloride water quality standard.



Reports/Data on Chloride Concentrations in Illinois Streams

1. USGS's article - Urban Stream Contamination Increasing Rapidly Due to Road Salt
 - WI.Water.USGS.gov
2. The Sources, Distribution, and Trends of Chlorides in the Waters of the Illinois
 - Kelly Report
3. MWRDGC's Data Network



Urban Stream Contamination

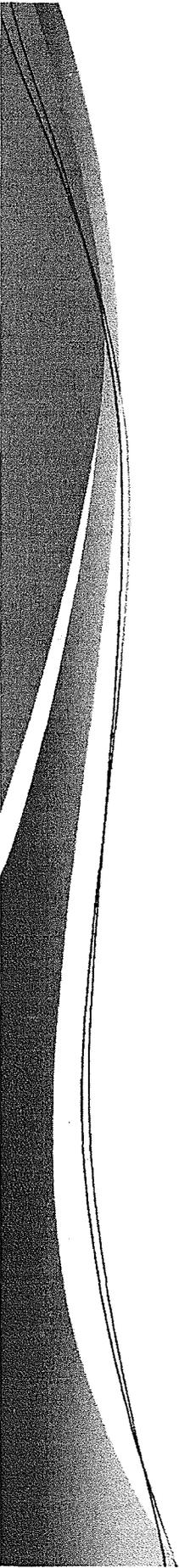
Increasing Rapidly Due to Road Salt

- The scientists analyzed water quality data from 30 monitoring sites on 19 streams near cities in WI, IL, CO, MI, OH, PA, MA, TX, and the District of Columbia.
- Chloride levels increased substantially in 84% of urban streams analyzed (USGS study from 1960 -2011).
- Levels are highest during the winter, but increased during all seasons over time at the northern sites, including Chicago, Illinois.
 - In 16 of the streams, winter chloride concentrations increased over the study period.
 - In 13 of the streams, chloride concentrations increased over the study period during non-deicing periods such as summer
 - Chloride levels increased more rapidly than development of urban land near the study sites.



Kelly et al. Report, 2012

- Chloride Concentrations are High in Surface Waters
 - Detailed study that characterizes sources, distribution, and trends of chlorides in IL waters
- Increased Use of Chloride for Road De-icing
 - An estimated annual average of 471,000 metric tons of road salt were used in Illinois for the years 2002 to 2005, mostly in the Chicago region.
 - Average annual road salt sales have increased since 2005.
- Findings:
 - Chloride concentrations are elevated in most water bodies in the Chicago region, primarily due to road salt runoff.
 - Two road salt runoff samples collected by Kelly et al.(2010) dripping off road bridges in Pekin and Willow Springs, IL, had very high concentrations of chloride: 1572 and 8930 mg/L.



Continued

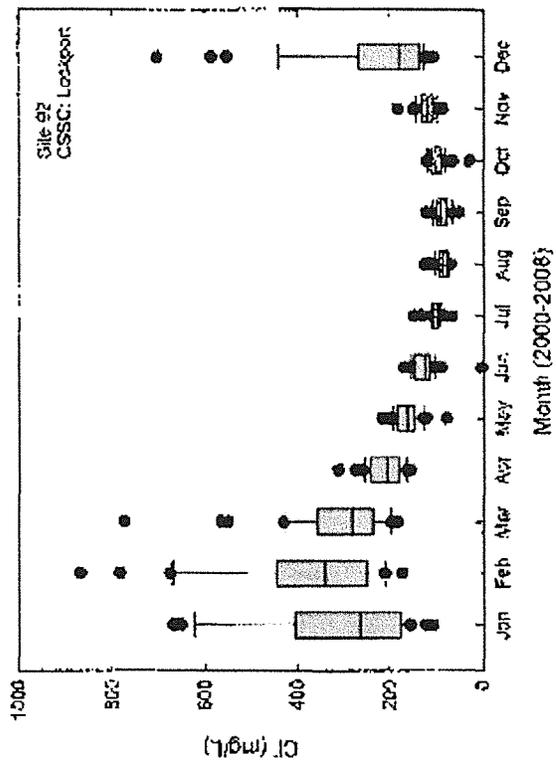


Figure 12. Chloride concentrations by month for MONTGOMERY Station 92 (CSSC at Lockport) between 2000 and 2008. The site was sampled weekly.



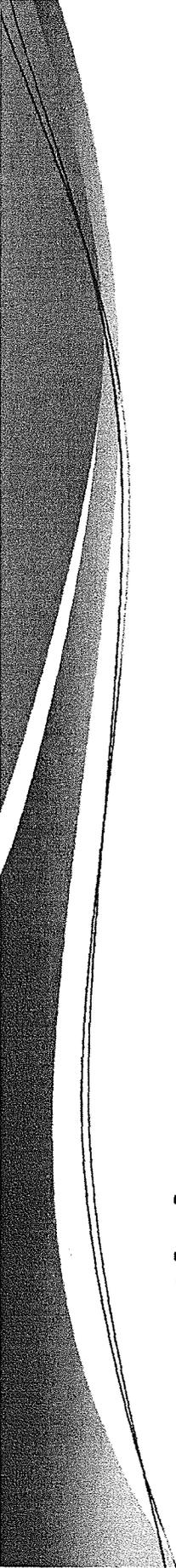
MWRDGC

- History of Monitoring Program
 - Collecting data since 1970
 - Currently have at least 28 stations in CAWS watershed that have been collecting data for 10 or more years
- Methodology of looking at the District's data
 - Reviewed data from 2001 – 2012
 - Chloride concentrations above 500 mg/L, results expressed in percentages
 - December – March

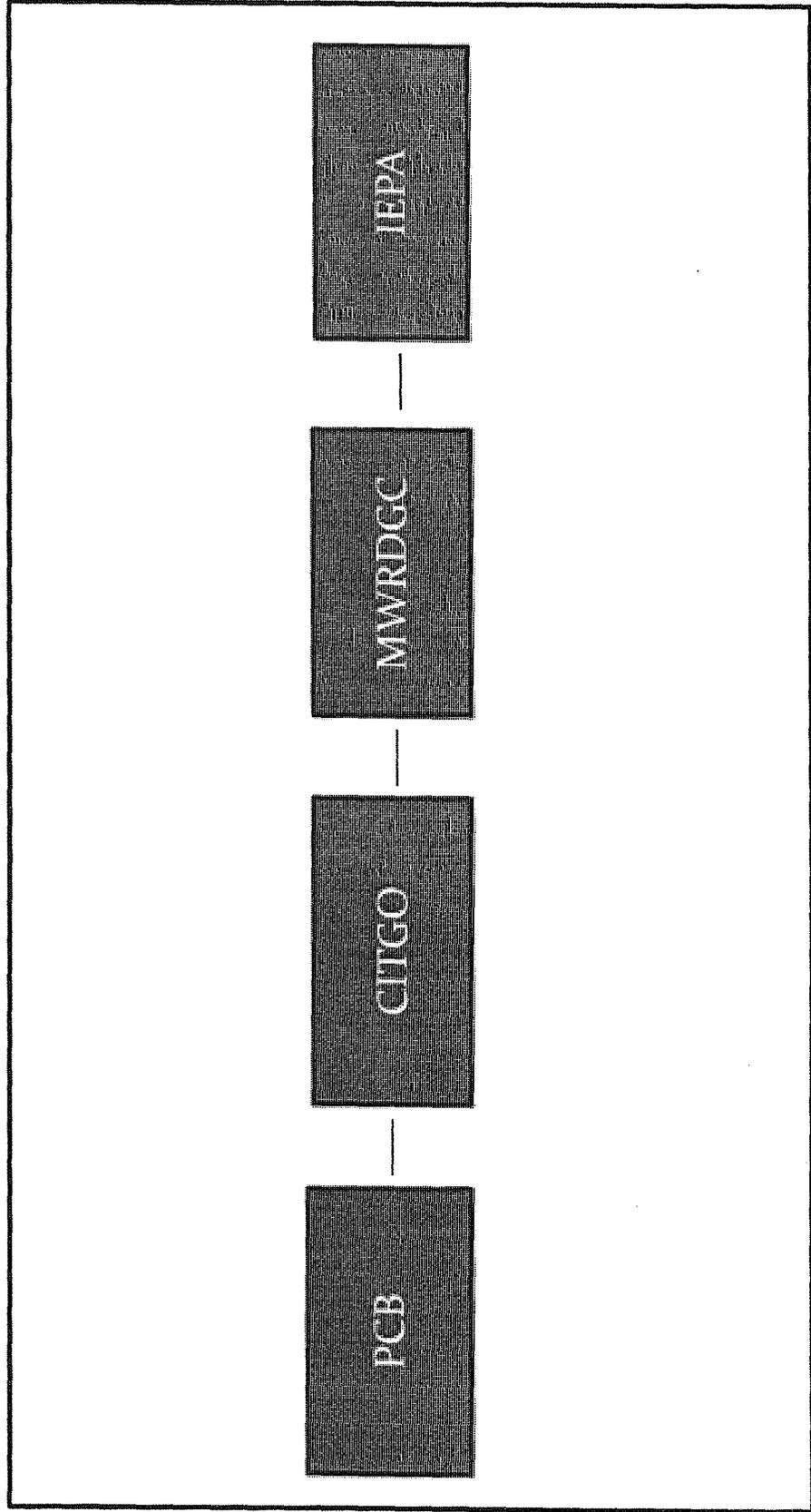


Chloride percentages above 500 mg/L Jan. 2001 through Dec. 2012 (Dec. – March)

1. North Shore Channel – 8%
2. North Br. Chicago River – 13%
3. Chicago River – 2%
4. South Br. Chicago River – 4.4%
5. S. Fk. S. Br. Chicago River – 4%
6. CSSC - 6%
7. Des Plaines River – 6% (2001 data only)
8. Calumet River – 0 above 500 mg/L
9. Lake Calumet – no data
10. Lake Calumet Connecting Channel – no data
11. Grand Calumet – 0 above 500 mg/L
12. Little Calumet River – 2.3%
13. Cal-Sag - 2.6%



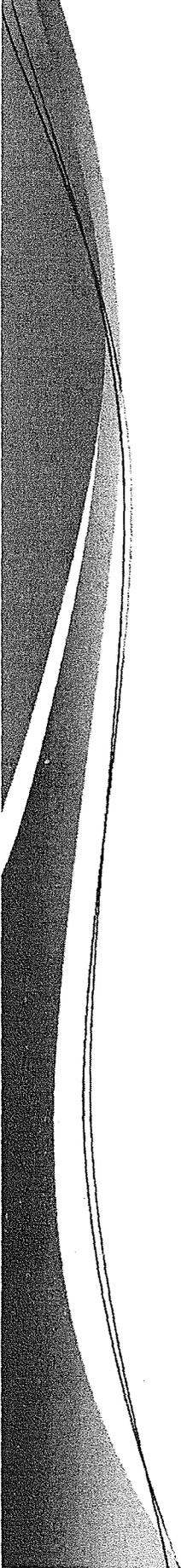
Possible Scenarios





Implications on Point and Non-Point Sources

- Final water quality standard for the CAWS is still uncertain.
- The adoption of a chloride water quality standard (500 mg/L) for CAWS water bodies will result in listing many of these water bodies as impaired for 303d/305b purpose.
 - Impaired status
 - TMDL
- The impaired status of CAWS water bodies will significantly affect point and non-point sources' ability to do future projects that would add additional chloride loadings to these water bodies.



Implications

- NPDES
- MS4
- 401

NPDES

- New — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$
- Renewed — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$
- Expanded — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$



MS4

- New General Permit
 - Id segment if segment is listed as impaired
 - Shall not cause or contribute to violation of any applicable WQS
 - If TMDL approved (page 4), then
 - Must meet allocations
 - Modify storm water management program so that TMDL allocations are met



Continued

- Pollution Prevention/Good Housekeeping for Municipal Operations
- Monitoring
 - Shall include at a minimum, quarterly monitoring of receiving waters upstream and downstream of MS₄ discharges
 - Chloride monitoring requirement

401

• New — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$

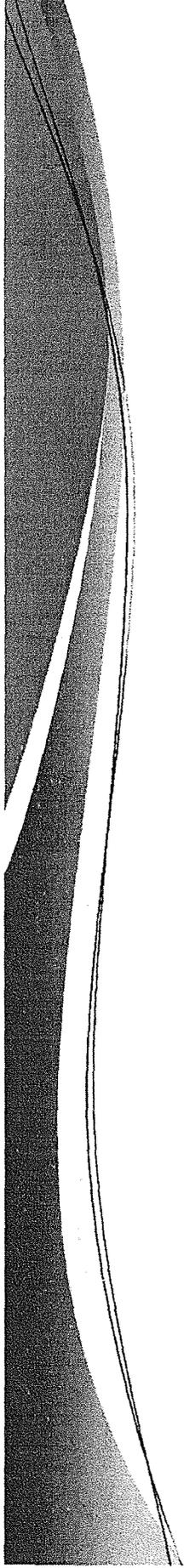
• Renewed — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$

• Modified — if chloride $\left\{ \begin{array}{l} \text{Impaired} \\ \text{TMDL} \end{array} \right.$



Possible Solutions

- Technology Controls
 - Limited
 - Technically infeasible
 - Economically unreasonable
- Regulatory Relief
 - Adjusted Standard
 - Site Specific Standard
 - Variance



Regulatory Relief



Regulatory Relief

- Adjusted Standard
 - Provides relief from rules of general applicability.
 - Satisfy the “level of justification” specified in the regulation, if any.
 - If none, must demonstrate:
 1. Factors relating to that petitioner are substantially and significantly different from the factors relied upon by the Board in adopting the general regulation applicable to that petitioner;
 2. The existence of those factors justifies an adjusted standard;
 3. Relief will not result in environmental or health effects substantially and significantly more adverse than the effects considered by the Board in adopting the rule of general applicability; and
 4. The adjusted standard is consistent with any applicable federal law.



Regulatory Relief

- Site Specific Rulemaking
 - Provides relief from rule of general applicability, but can also be promulgated independently.
 - Must specify:
 1. Reasons why the general rule is not technically feasible or economically reasonable;
 2. Relevant information regarding other similar sites' ability to comply with the general rule; and
 3. Where relevant, information pertaining to existing physical conditions, the character of the area involved, including the character of surrounding land uses, zoning classifications, and the nature of the existing air quality.
 - Must demonstrate that the proposal is consistent with federal law.



Variance

- Must comply with two set of requirements
 1. State requirements
 - 415 ILCS 5/35(a)
 - 35 Ill Adm. Code 104.200, et seq.
 2. Federal requirements
 - Proposed Rule Water Quality Standards Regulatory Clarifications, 40 CFR 131 (FR Vol. 78, No. 171/ Wednesday, September 4, 2013)



Variance – State Regulations

- Temporary exemption from any specified rule, regulation, requirement, or order of the Board
- Not to exceed five years
- Petitioner must provide adequate proof that compliance would impose an *arbitrary and unreasonable hardship*



Petition Content Requirements

- Data describing the nature and extent of the failure to meet the regulation
- Facts demonstrating compliance with regulation cannot be achieved by any compliance date
- Efforts that would be necessary to achieve immediate compliance with the regulation
- All possible compliance alternatives, with corresponding costs for each alternative
- Reasons that immediate compliance would impose an arbitrary or unreasonable hardship
- Detailed description of compliance plan
- Description of environmental impact
- Consistency with Federal Law



Agency Investigation and Recommendation

- The Agency must investigate and consider the views of persons who might be adversely affected by the grant of the variance and make a recommendation to the Board.
- Recommendation must include:
 - A description of the efforts made by the Agency to investigate the facts as alleged and to ascertain the views of persons who might be affected, and a summary of the views so ascertained;
 - A statement of the degree to which the Agency disagrees with facts as alleged;
 - Any other facts the Agency believes relevant;
 - Estimate of compliance costs;
 - Estimate of the injury that the grant of the variance would impose on the public;
 - Analysis of applicable federal laws and regulations and an opinion concerning the consistency of the petition with such federal laws and regulations;
 - The status of any permits or pending permit applications – including enforcement actions; and
 - A recommended beginning and ending date, and any recommended conditions.



Variance – Federal Regulations

- USEPA considers a variance to be a temporary modification to the designated use and associated water quality criteria.
- Variances have been based on analyses that meet the requirements governing removal of a use – 40 CFR 131.10(g).



Removal of Use - 10g Factors

- 40 CFR 131.10(g) authorizes the removal of a designated use with a demonstration that it is not feasible to attain the designated use of the water body because of any of the following factors:
 1. Naturally occurring pollutant concentrations prevent the attainment of the use;
 2. Natural, ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the use, unless these conditions may be compensated for by the discharge of sufficient volume of effluent discharges without violating state water conservation requirements to enable uses to be met;
 3. **Human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place;**
 4. Dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use;
 5. Physical conditions related to the natural features of the water body, such as the lack of a proper substrate, cover, flow, depth, pools, riffles, and the like, unrelated to water quality, preclude attainment of aquatic life protection uses; or
 6. **Controls more stringent than those required by sections 301(b) and 306 of the Act would result in substantial and widespread economic and social impact.**



Potential Components of Demonstration

- **40 CFR 131.10(g)(3) Human Caused Conditions**
 - Water quality assessment for all relevant parameters
 - Biological assessment
 - Appropriate reference condition for comparison
 - Land usage/watershed characteristics
 - Characterization of human caused condition and its relationship to water quality and/or the use in question
 - Identification of currently available remedies and assessment of their potential efficacy and feasibility
 - Demonstration of application of technology-based requirements and cost effective and reasonable BMPs or forecast of water quality conditions once implemented
 - Assessment of potential damage caused by potential remedies



Potential Components of Demonstration

- **40 CFR 131.10(g)(6) Social and Economic Impacts**
 - Water quality assessment for all relevant parameters
 - Biological assessment
 - Identification of currently available control technologies and assessment of their potential efficacy,
 - Characterization of the costs of controls and their potential for financing over a period of years,
 - Characterization of the ability to pay for the affected entities
 - Opportunity costs
 - Evaluation of equity and distribution
 - Environmental justice
 - Identification of the community and the characterization of its financial health



Variance Types

- Discharger specific
- Waterbody specific
- Illinois EPA recommends a waterbody specific variance.



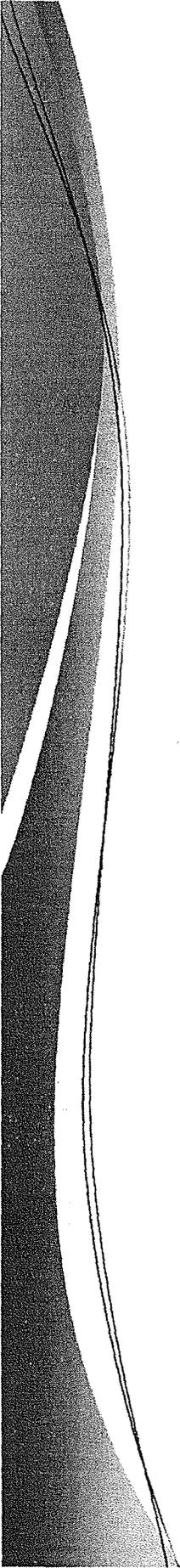
Requirements

- Requirements for waterbody specific variance:
 - The highest attainable interim use and interim numeric criterion; or
 - An interim numeric effluent condition that reflects the highest attainable condition for a specific permittee(s) during the term of the variance.



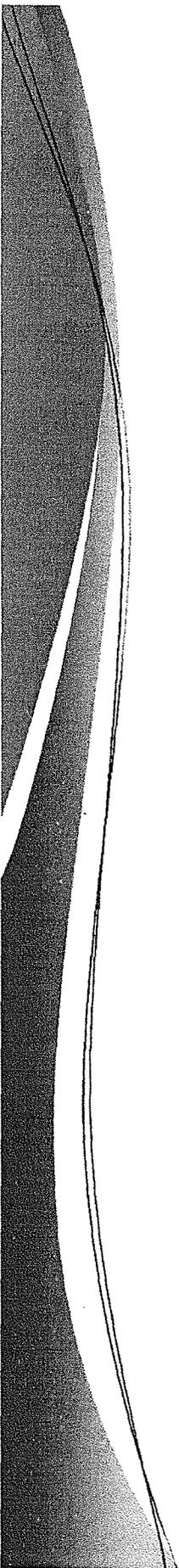
Renewal

- 10-year term with option to renew **is a possibility, but not automatic**
- USEPA will consider:
 - Whether conditions have changed
 - Whether new or additional information that the use and criterion are not attainable in the future
 - Whether feasible progress is being made toward the designated use and if additional time is needed
- Documentation of the steps taken to meet the requirement of the previous variance
- Documentation as to whether and to what extent cost-effective and reasonable BMPs have been implemented to address the pollutant
- Measure progress and success (monitoring?)
- Effect of BMPs



Proposed Variance Concept

UAA Chloride Variance



Watershed

- What is the watershed?
- UAA



Applicability to Non-Winter Months

- May 1 – November 30
 - Basis for non-winter months?
- Standard 500 mg/L
 - Basis for standard?



Applicability to Winter Months

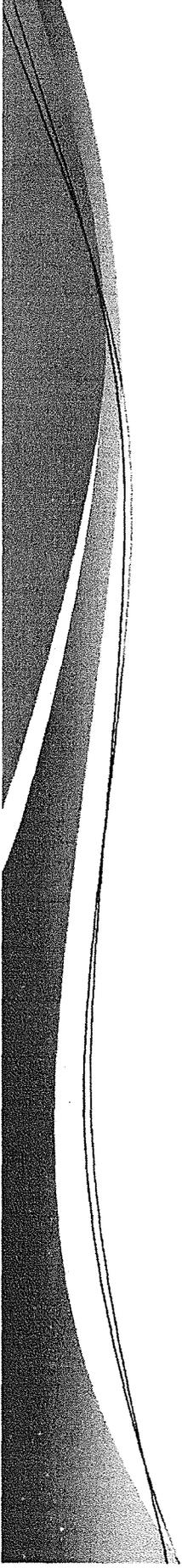
- December 1 – April 30
 - Basis for winter months?
- Interim water quality standard:
 - No standard
 - Focus would be on applying BMPs to point sources and non-point sources to achieve highest attainable stream quality
 - Basis for applying BMPs instead of having water quality standard?
 - Quantify existing loading
 - Quantify existing BMP usage



BMPs list

- Point sources
- Non-point sources
- Salt Piles (storage handling)

Load limit in NPDES permit in addition to BMPs?



What we are asking...



Workgroup

- A workgroup responsible for:
 - Identifying effective BMPs for point/non-point sources;
 - Determining responsibilities for instituting and tracking of BMPs;
 - Drafting regulatory language;
 - Forming sub-groups if needed;
 - Establishing time-frames/deadlines for accomplishing tasks;
 - Developing reporting requirements for group and individual sources;
 - Establishing accountability requirements (yearly reporting requirements); and
 - Establishing and implementing participation requirements.

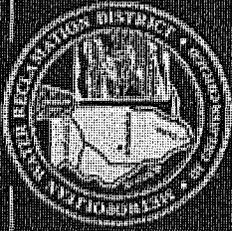


Chicago Area Waterway System (CAWS) Chloride Reduction Initiative

Kick-off Meeting
January 27, 2015

Tony Quintanilla, MWRD
Sanjay Sofat, IEPA

Proceedings are being video recorded and will be made available.



Agenda

- Introduction.
- Presentation of chloride issue by IEPA.
- Purpose of CAWS chloride reduction initiative.
- Role of stakeholders.



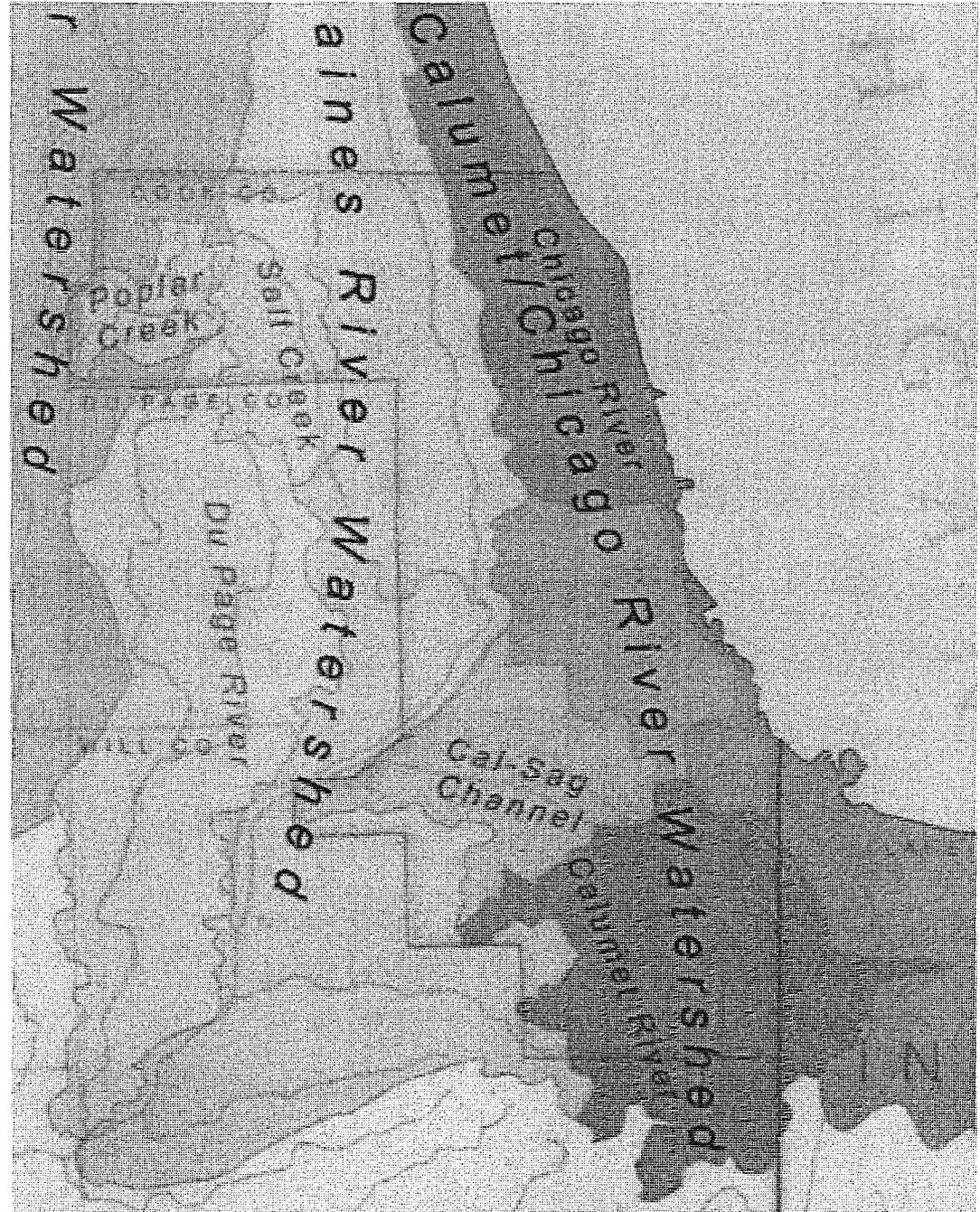
Rulemaking Overview

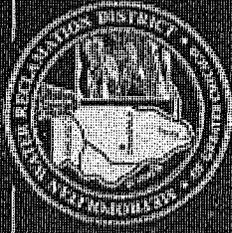
- Use Attainability Analysis (UAA) Rulemaking – Docket #R08-09
- Illinois Pollution Control Board (IPCB) will issue new water quality standards for the CAWS including proposed chloride standards.
- CAWS do not meet the proposed chloride standard of 500 mg/L.
- Final rule expected by the end of 2015.

Chicago Area Waterway System (CAWS)

Watersheds:

- Chicago River
- Calumet River
- Cal-Sag Channel





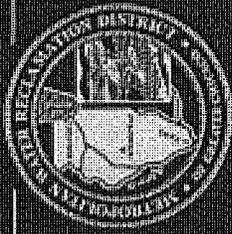
Chloride Issue

- Need a stakeholder work group to develop best management practices (BMPs) to reduce chlorides discharging to the CAWs.
- Need the work group to develop a variance petition (waterbody specific) to be presented to the IPCB
- A variance from the standard would allow time for BMPs to be developed and implemented and to monitor improvements.



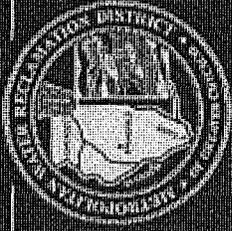
Overview of the CAWS Chloride Reduction Initiative

- Create a stakeholder work group to:
 - Promote and train on best management practices.
 - Prepare and submit the variance petition.
 - Monitor progress and compile data.
- Stakeholder work group to be led by a Steering Committee.



Stakeholders and Their Role

- Municipalities, Industry, State Agencies, Cook County, City of Chicago, Non-Governmental Organizations, and MWRD
- Develop BMPs for salt use reduction.
 - Implement BMPs to use salt efficiently for de-icing.
 - Learn and train on best methods, including workshops.
 - Document salt use reduction.
- Participate in the variance petition process.
 - Contribute to the cost of preparing the variance petition.
 - Provide salt use information requested by the work group.



Work Group Membership

- Voluntary participation and led by a Steering Committee
- Members are expected to:
 - Practice existing BMPs to use salt efficiently for de-icing.
 - Share knowledge of BMPs best methods for salt use reduction.
 - Develop and participate in BMP training workshops led by stakeholders.
- Document salt use reduction and share data.
- Contribute to the cost of preparing the variance petition by retaining legal counsel for the Work Group.



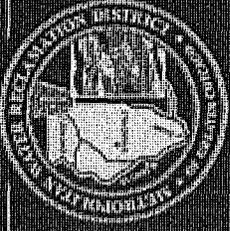
Steering Committee

- Will lead on organizing training workshops for the work group.
- Will lead on coordinating variance petition preparation for the work group.
- Proposed:
 - Ad-Hoc members (to be determined)
 - City of Chicago
 - Cook County
 - Councils of Government (four)
 - Illinois Department of Transportation
 - Illinois Environmental Regulatory Group (private sector)
 - Illinois Tollway Authority
 - MWRD



BMP Training Workshops

- Begin workshops in the Summer to Fall of 2015:
- BMPs for deicing of:
 - Roads
 - Parking lots and sidewalks
- Presenters from the Chicago area.
- Best methods, equipment and products for winter de-icing.
- Equipment demonstrations.



Variance Petition Overview

- A variance is a temporary exemption from any specified rule, regulation, requirement or order of the Board...for a period of time not to exceed five years (Title 35, Part 104, Subpart B).
- Extensions of the variance may be granted.
- Variance is granted when the petitioner presents adequate proof that compliance with the rule would impose an arbitrary or unreasonable hardship.



Variance Preparation

- Steering Committee will hire legal counsel on behalf of the work group.
- Members will contribute equally towards legal fees.
 - Fees to be determined.
- Legal counsel will work through the Steering Committee to request member information for the preparation of the variance petition.
- Steering Committee will coordinate with Work Group members to provide information in support of the petition for variance.
- Legal counsel will submit variance petition to IPCB.



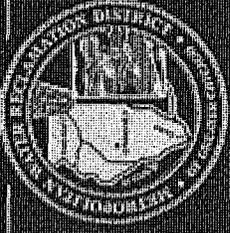
Voice Vote to Confirm Steering Committee

- Motion: Confirm the Steering Committee membership:
 - Ad-hoc members (to be determined by the Steering Committee)
 - City of Chicago
 - Cook County
 - 4 Councils of Government (representing municipalities)
 - Illinois Department of Transportation
 - Illinois Environmental Regulatory Group (representing private sector)
 - Illinois Tollway Authority
 - MWRD



Voice Vote to Hire Legal Counsel

- Motion: Authorize the Steering Committee to initiate a process to hire legal counsel, seek qualifications from various legal firms, and hire a firm to represent the work group for a variance petition.



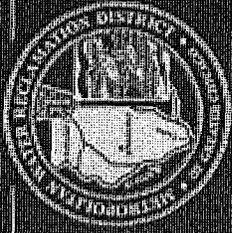
Survey

- Please complete the distributed survey indicating:
 - Contact information.
 - Interest of your organization in participating in this stakeholder work group.
 - Interest in participating in the Steering Committee or sub-committees.
 - Interest in attending or presenting at future training workshops.
 - Salt use information.
- Please complete and return the survey by February 10, 2015.
- Address information is on the survey form.



Next Steps

- Steering Committee will:
- Compile initial survey information.
- Initiate process to hire legal counsel for preparation of variance petition.
- Update to the membership by the end of February.
- Schedule membership meetings.



Q/A Thank you!

• Contact information:

- Tony Quintanilla, MWRD:

- antonio.quintanilla@mwrdd.org

- (312) 751-5102

- Sanjay Sofat, IEPA:

- sanjay.sofat@illinois.gov

- (217) 782-3397

Proceedings are being video recorded and will be made available.