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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JUN 02 2008

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)

PROPOSED AMENDMENTS TO:)

35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8))

302.102(b)(10), 302.208(g), 309.103(c)(3),)

405.109(b)(2)(A), 405.109(b)(2)(B), 406.100((d))

REPEALED 35 Ill. Adm. Code 406.203 Part 407, and)

PROPOSED NEW 35 Ill. Adm. Code 302.208(h))

R07-009

Rulemaking – Water

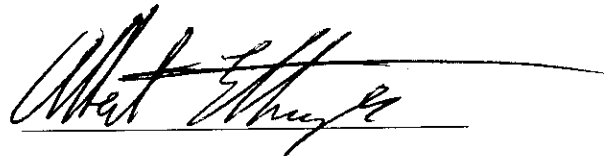
PC#13

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that the Environmental Law and Policy Center of the Midwest (“ELPC”), Prairie Rivers Network and the Sierra Club today have filed the attached SECOND NOTICE COMMENTS OF PRAIRIE RIVERS NETWORK, SIERRA CLUB AND THE ENVIRONMENTAL LAW & POLICY CENTER.

Respectfully submitted,



Albert F. Ettinger (Reg. No. 3125045)
Counsel for Environmental Law & Policy Center, Prairie Rivers Network and Sierra Club

DATED: June 2, 2008

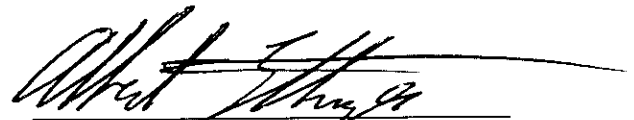
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JUN 02 2008

CERTIFICATE OF SERVICE

I, the undersigned, on oath state that I have served the attached **STATE OF ILLINOIS Pollution Control Board** NOTICE COMMENTS OF PRAIRIE RIVERS NETWORK, SIERRA CLUB AND THE ENVIRONMENTAL LAW & POLICY CENTER upon the persons listed in the attached service list via U.S. Mail.

Respectfully submitted,



Albert F. Ettinger (Reg. No.
3125045)
Counsel for Environmental Law &
Policy Center, Prairie Rivers
Network and Sierra Club

DATED: June 2, 2008

SERVICE LIST- R07-009

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 W. Randolph St.
Suite 11-500

Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
100 W. Randolph St.
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Mathew Dunn
Illinois Attorney General's Office
Environmental Control Division
James R. Thompson Center
100 West Randolph Street
Chicago, IL 60601

Jonathan Furr
IDNR
One Natural Resources Way
Springfield, IL 62701-1271

Sanjay K. Sofat, Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
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that IEPA will take steps in permit writing to demarcate a zone of passage in the small streams that often will be the subject of this provision.

Accordingly, we suggest the following compromise language for the final change to the existing rule:

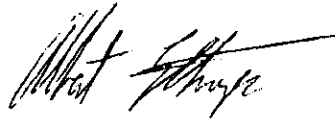
The area and volume in which mixing occurs, alone or in combination with other areas and volumes of mixing must not contain more than 25% of the cross-sectional area or volume of flow of a stream except for those streams where the dilution ratio is less than 3:1. In streams where the dilution ratio is less than 3:1, the volume in which mixing occurs, alone or in combination with other volumes of mixing must not contain more than 50% of the volume flow unless it is demonstrated in the record that an adequate zone of passage has been provided in compliance with Section 302.102(b)(6). Mixing is not allowed in receiving waters which have a zero minimum seven day low flow which occurs once in ten years.

This compromise language would provide some flexibility to the Agency but would not generally allow the Agency to assume that there will be a zone of passage in cases in which the discharge is more than 50% of the volume of flow.

Respectfully submitted,



Glynnis Collins
Watershed Scientist
Prairie Rivers Network



Albert Ettinger
Senior Staff Attorney
Environmental Law & Policy Center



Cynthia Skrukrud
Clean Water Advocate
Sierra Club, Illinois Chapter

May 30, 2008

RECEIVED
 DEC 08 2003
 ILLINOIS ENVIRONMENTAL
 PROTECTION AGENCY
 BOW/WPC/PERMIT SECTION

Ammonia Worksheet

Discharger: McHenry - South Expanded Facility NPDES: IL0066257 Date: 12/3/03
 Receiving Stream (BSC rating): Fox River (C)

Calculation of the total ammonia (as N) water quality standard

	pH and temperature values used in calculation			Total ammonia (as N) water quality standard		
	50th %ile	75th %ile	temp	Chronic (50th %ile)	(75th %ile)	Acute (75th %ile)
Spring/Fall	8.31	8.59	18.8	Spring/Fall 1.1	0.7	2.7
Summer	8.42	8.49	25.8	Summer 0.6	0.5	3.3
Winter	8.05	8.36	5.8	Winter 3.7	2.2	4.2

Data Source: AWQMN station, DT-22, Fox River, at Burton's Bridge, for the dates Jan. 1997 to Dec. 2001.

Note: Calculation of total ammonia (as N) water quality standards are based on the algorithms found at 35 IAC 302.212(b) and recommended water quality based limits for ammonia are derived pursuant to methodologies outlined at 35 IAC Part 355.
 Spring/Fall consists of March - May, September - October.
 Summer consists of June - August.
 Winter consists of November - February.

Chronic Wasteload Allocation

$C_e = [C_d(Q_{us} + Q_e) - C_{us}Q_{us}] / Q_e$

Effluent Flow (Q _e):	2.32 cfs	DAF (1.5 MGD)	
Upstream 7Q10:	92 cfs	Source:	ISWS map of the Northeastern Region.
7Q10 for dilution (Q _{us}):	23 cfs		
background concentrations:		Source:	AWQMN station, DT-35, Fox River, at Wisconsin State Line, for the calendar years 1994, 1995, 1996, 2000 and 2001.
spring/fall	0.066 mg/L		
summer	0.073 mg/L		
winter	0.185 mg/L		
wasteload allocation:			
spring/fall		7.1 mg/L	(based on 75th percentile pH and mixing)
summer		5.1 mg/L	(based on 75th percentile pH and mixing)
winter		22.6 mg/L	(based on 75th percentile pH and mixing)

Note: Chronic wasteload allocations are calculated using a steady-state mass balance approach and procedures found at 35 IAC 355.203.

Acute Wasteload Allocation

$C_e = S(C_d - C_{us}) + C_{us}$

predicted stream width:	575 ft.		
diameter of outfall pipe (d):	1.17 ft.	wasteload allocation:	spring/fall 9.8 mg/L
maximum ZID radius (x):	14.375 ft.		summer 11.8 mg/L
S = 0.3 (x/d) =	3.685897436		winter 15.0 mg/L

Note: Acute wasteload allocations are determined using the jet-momentum equation found in USEPA's Technical Support Document for predicting near-field mixing characteristics. Outfall pipe diameters are based on Manning's equation and n=0.013.

WQBELs Recommended:	Daily Maximum:		
	spring/fall		9.8 mg/L
	summer		11.8 mg/L
	winter		15.0 mg/L
	30-day Average:		
	spring/fall		1.5 mg/L**
	summer		1.5 mg/L**
	winter		4.0 mg/L**
	Weekly Average*:		
	spring/fall		N/A mg/L
	summer		N/A mg/L
	winter		N/A mg/L

* Note: Weekly average limits are based on the subchronic standard which is defined as 2.5 times the chronic limit at 35 IAC 302.212(b)(3) and Part 355.

** Note: Limited to 1.5/1.5/4.0 mg/L for the spring/fall, summer, and winter periods respectively based on the Agency policy for facilities that are designed to nitrify.