

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
WATER POLLUTION: PROPOSED ) R 15-24  
AMENDMENTS TO 35 ILL.ADM.CODE ) (Rulemaking – Water)  
PART 309 )

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Mr. Jason James
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street	100 W. Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA U.S. MAIL)</b>

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control **PRE-FILED QUESTIONS FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY SUBMITTED BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: August 13, 2015

By: /s/ Abby L. Allgire  
Abby L. Allgire

Abby L. Allgire  
Legal Counsel  
Illinois Environmental Regulatory Group  
215 East Adams Street  
Springfield, Illinois 62701  
(217) 522-5512

**CERTIFICATE OF SERVICE**

I, Abby L. Allgire, the undersigned, hereby certify that I have served the **PRE-FILED QUESTIONS FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY SUBMITTED BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**, upon:

John T. Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

via electronic mail on August 13, 2015; and upon:

Jason James  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

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by depositing said documents in the United States Mail, postage prepaid, in  
Springfield, Illinois on August 13, 2015.

/s/ Abby L. Allgire  
Abby L. Allgire

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
PROPOSED AMENDMENTS TO ) R15-24  
35 ILL. ADM. CODE PART 309 ) (Rulemaking – Water)  
 )

**PRE-FILED QUESTIONS FOR THE ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY SUBMITTED  
BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**

NOW COMES the ILLINOIS ENVIRONMENTAL REGULATORY GROUP (“IERG”), by and through its attorney, Abby L. Allgire, and pursuant to the Hearing Officer Order dated June 29, 2015, submits the following Pre-Filed Questions for the Illinois Environmental Protection Agency (“Agency”) for presentation at the August 25, 2015, hearing scheduled in the above-referenced matter:

1. In the Testimony of Darin LeCrone, it is stated under the section titled, “Section 309.202 Construction Permits,” that “Section 309.202(c)(6) is being added to exempt from the construction permit requirement, cooling towers, oil/water separators, pH adjustment facilities (without additional pretreatment) and ground water remediation pretreatment. These exemptions are proposed to lessen the regulatory burden for these common treatment technologies, which typically utilize “off the shelf” components and do not require a technical review by the Agency. The Agency does not believe a technical review by the Agency for these types of facility results in a significant environmental benefit.”
  - a) Would the Agency consider reverse osmosis systems to be “common treatment technologies”?

- b) Would adding reverse osmosis systems as an exemption under 309.202(c)(6) lessen the regulatory burden on the Agency?
- c) Would the Agency agree that reverse osmosis systems typically utilize “off the shelf” components?
- d) Does the Agency believe that a technical review by the Agency for reverse osmosis systems would result in significant environmental benefit?
- e) Is the Agency amenable to amending its proposal to include reverse osmosis systems among the treatment technologies exempted in the proposed Section 309.202(c)(6)?
- f) Does the Agency see an issue with adding reverse osmosis systems as an exemption under the proposed 309.202(c)(6)?
- g) Would the Agency consider multi-media filtration systems to be “common treatment technologies”?
- h) Would adding multi-media filtration systems as an exemption under 309.202(c)(6) lessen the regulatory burden on the Agency?
- i) Would the Agency agree that multi-media filtration systems typically utilize “off the shelf” components?
- j) Does the Agency believe that a technical review by the Agency for multi-media filtration systems would result in significant environmental benefit?
- k) Is the Agency amenable to amending its proposal to include multi-media filtration systems among the treatment technologies exempted in the proposed Section 309.202(c)(6)?

- l) Does the Agency see an issue with adding multi-media filtration systems as an exemption under the proposed 309.202(c)(6)?
  - m) Would the Agency consider ion-exchange systems for source water to be “common treatment technologies”?
  - n) Would adding ion-exchange systems for source water as an exemption under 309.202(c)(6) lessen the regulatory burden on the Agency?
  - o) Would the Agency agree that ion-exchange systems for source water typically utilize “off the shelf” components?
  - p) Does the Agency believe that a technical review by the Agency for ion-exchange systems for source water would result in significant environmental benefit?
  - q) Is the Agency amenable to amending its proposal to include ion-exchange systems for source water among the treatment technologies exempted in the proposed Section 309.202(c)(6)?
  - r) Does the Agency see an issue with adding ion-exchange systems for source water as an exemption under the proposed 309.202(c)(6)?
- 2) For each of these specific water treatment technologies exempted in the proposed Section 309.202(c)(6), are there additional materials and equipment required for utilizing or installing the exempted technology? Would the Agency be amenable to including language clarifying that the additional associated pipes, pumps, and appurtenances for these treatment technologies are included in the exemption?

IERG reserves the right to supplement these questions.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
REGULATORY GROUP

Dated: 8/13/2015

By:           /s/ Abby L. Allgire            
Abby L. Allgire

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