

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PROPOSED SITE SPECIFIC)	
RULE FOR SANITARY DISTRICT)	R14-24
OF DECATUR FROM 35 ILL. ADM.)	(Site Specific Rule – Water)
CODE SECTION 302.208(e).)	

NOTICE OF FILING

TO: Mr. John T. Therriault	Daniel Robertson, Esq.
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
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **STATUS REPORT**, a copy of which is herewith served upon you.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR,

Dated: October 28, 2014

By: /s/Katherine D. Hodge
Katherine D. Hodge

Katherine D. Hodge
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached STATUS REPORT, upon:

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

via electronic mail on October 28, 2014; and upon:

Daniel Robertson, Esq.
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Sara Terranova, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on October 28, 2014.

/s/Katherine D. Hodge
Katherine D. Hodge

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STATUS REPORT

NOW COMES the SANITARY DISTRICT OF DECATUR (“District”), by and through its attorneys, HODGE DWYER & DRIVER, and provides this status report to the Hearing Officer and the Illinois Pollution Control Board (“Board”) regarding recent activities in this matter. The District provides as follows:

On June 30, 2014, the Sanitary District of Decatur (“District”) filed a petition for a site-specific rulemaking pursuant to Sections 27 and 28 of the Environmental Protection Act (“Act”), 415 ILCS 5/27, 28, and Sections 101.202 and 102.210 of the Board’s Regulations, 35 Ill. Admin. Code §§ 102.202, 102.210. The District’s petition seeks to establish an alternative chronic water quality standard for nickel from the point of its discharge into the Sangamon River at its Main Plant to the point of the confluence of the Sangamon River with the South Fork of the Sangamon River near Riverton.

On July 24, 2014, the Board accepted the petition for hearing and directed the assigned hearing officer to schedule and to proceed to hearing under the rulemaking provisions of the Act and the Board’s procedural rules. On July 29, 2014, the hearing officer accepted the District’s request to postpone the scheduling of a hearing date. The Hearing Officer ordered the District to file a status report by August 29, 2014, stating its readiness for hearing or requesting additional time. The District filed its status report on August 29, 2014, requesting an additional sixty days before scheduling a hearing in this

rulemaking. The Board granted the request and directed the District to file a new status report by October 28, 2014.

The District now respectfully requests an additional sixty (60) days before scheduling a hearing date in this rulemaking proceeding. The District is continuing to engage in discussions, the most recent of which occurred on October 27, 2014, with the United States Environmental Protection Agency (“U.S. EPA”) concerning the technical studies at issue in this rulemaking proceeding. Also, as a result of prior discussions, the District has agreed to perform effluent toxicity testing and has been working with U.S. EPA to gain acceptance of its proposed testing protocol. The District understands that U.S. EPA is preparing an updated summary of questions for the District to address to determine whether a site-specific nickel standard would be approvable by U.S. EPA, as well as additional comments on the District’s testing protocol, which should be completed by mid-November.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR,

Dated: October 28, 2014

By: /s/ Katherine D. Hodge
Katherine D. Hodge

Katherine D. Hodge
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705