

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	
)	

NOTICE OF FILING

To: Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 anmmarie.hanohano@ilag.gov
Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
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PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S MOTION FOR**

INTERLOCUTORY APPEAL OF HEARING OFFICER'S ORDER ON PETITIONER'S MOTION IN LIMINE and CERTIFICATE OF SERVICE, copies are which are herewith served upon you.

Dated: October 17, 2022

/s/ Sarah L. Lode
One of its Attorneys

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Attorneys for Aqua Illinois, Inc.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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v.)	PCB 2023-012
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PROTECTION AGENCY,)	
)	
Respondent.)	
)	

**PETITIONER’S
MOTION FOR INTERLOCUTORY APPEAL OF HEARING OFFICER’S
ORDER ON PETITIONER’S MOTION IN LIMINE**

Petitioner Aqua Illinois, Inc. (“Aqua”), by and through its counsel, ArentFox Schiff, LLP, and pursuant to 35 Ill. Admin. Code § 101.518,¹ respectfully moves for an interlocutory appeal of the order of the Illinois Pollution Control Board’s (the “Board’s”) Hearing Officer to deny Petitioner’s September 27, 2022, Motion in Limine, attached hereto as Exhibit 1 (the “Motion in Limine”), during the hearing held on September 28, 2022 (the “Hearing”). The Motion in Limine sought to exclude any references, testimony, or argument at Hearing relating to two documents added to the third version of the record filed by Respondent on September 23, just two business days before the Hearing: (1) “Email from David Cook dated November 5, 2021 with Kankakee and Iroquois River nitrate data and related emails,” R 000581-000600, and (2) “Kankakee WTP

¹ Section 101.518 provides that “[a] party may take to the Board an interlocutory appeal from a hearing officer ruling by filing a motion within 14 days after the party receives the hearing officer's written order. However, if the hearing officer makes the ruling on the record at hearing, any motion for interlocutory appeal must be filed within 14 days after the Board receives the hearing transcript.” 35 Ill. Admin. Code § 101.518. Because the transcript of Hearing was filed on October 3, 2022, this motion is timely.

TP01 Nitrate,” R 000601 (collectively, the “Nitrate Documents”). The Nitrate Documents are attached as Exhibits A & B to the Motion in Limine.

As set out further below, the Hearing Officer’s denial of the Motion in Limine was improper and should be overturned. In further support of this motion, Aqua states as follows:

1. Aqua owns and operates the Aqua Illinois-University Park public water system. (Petition for Review at ¶ 2). On or about April 1, 2022, Respondent received requests from Aqua to modify Additional Condition No. 6 of the 2021 Permit to eliminate the requirement to collect compliance samples every month and instead allow sample collection at the frequency required by the Lead and Copper Rule. (*Id.* at ¶ 12). Via the last paragraph of the 2022 Permit, Respondent denied Aqua’s requests to modify Additional Condition No. 6 for the stated basis that the Agreed Interim Order precluded Respondent from doing so. (*Id.* at ¶ 13). On July 8, 2022, Aqua timely filed its Petition for Review appealing Respondent’s denial.

2. On August 26, 2022, Respondent purported to file a complete record including in regards to Respondent’s decision as to Additional Condition No. 6. That filed record did not include the Nitrate Documents. (*See* Respondent’s Certificate of Record on Appeal (Aug. 26, 2022), attached as Exhibit C to Motion in Limine).

3. On September 2, 2022, Respondent proposed to file an amended record to limit it to materials solely related to Additional Condition No. 6. Like the record Respondent filed on August 26, 2022, the record Respondent filed on September 2, 2022 did not contain the Nitrate Documents. (*See* Respondent’s Amended Certificate of Record on Appeal (Sept. 2, 2022), attached as Exhibit D to Motion in Limine).

4. Aqua took the depositions of the following employees of Respondent on the 2022 dates noted in parentheses in reliance on Respondent’s position that it had purportedly filed a

complete record as to Additional Condition No. 6: Mssrs. Sanjay Sofat (September 15), Michael Brown (September 15), David Cook (September 19), and Michael Roubitchek (September 21).

5. Mr. Cook's deposition testimony referenced nitrate data but explained that he could not discuss it because the documents were not present. (*See* Transcript of Deposition of David Cook at 62:3-63:5 (Sept. 19, 2022) (Q. "Are you aware of the ranges that would be required in order to evaluate the impact of nitrate variability on lead in the UP System?" A. "There would have to be enough data at the upper range based on historic values to do that evaluation. . . . I don't have that information in front of me."), attached as Exhibit E to Motion in Limine; *id.* at 68:19-69:3, 90:5-12). At hearing, Mr. Cook repeatedly testified as to the perceived issue of nitrate variability in the Aqua UP System but did not mention the Nitrate Documents. (*See, e.g.*, Hearing Transcript at 52:13-60:24 (Sept. 28, 2022), attached hereto as Exhibit 2).

6. On September 19, 2022, the Hearing Officer denied Respondent's September 2, 2022 motion to amend the record to exclude documents unrelated to Additional Condition 6. (*Aqua Ill., Inc. v. IEPA*, PCB No. 23-12, Hearing Officer Order (Sept. 19, 2022)). In doing so, the Hearing Officer ordered Respondent to file the entire record. (*Id.*) Respondent then filed another purportedly complete record on the late afternoon of Friday, September 23, 2022. For the first time, Respondent then included the Nitrate Documents in the record. (*See* Respondent's Certificate of Record on Appeal Filed on September 23, 2022, attached as Exhibit F to Motion in Limine).

7. On September 27, 2022, Aqua filed the Motion in Limine, which explained that the Nitrate Documents should not be admitted as evidence under 35 Ill. Admin. Code § 101.626²

² Section 101.626 provides that the Hearing Officer "will admit evidence that is admissible under the rules of evidence as applied in the civil courts of Illinois." 35 Ill. Admin. Code § 101.626. Subpart (a) of that Section goes on to state that the Hearing Officer may only "admit evidence that is material, relevant, and would be relied upon by prudent persons in the conduct of serious affairs, unless the evidence is privileged." *Id.* § 101.626(a).

because the Nitrate Documents are neither material nor relevant to the Hearing with respect to Additional Condition No. 6 and would be substantially outweighed by the undue prejudice caused to Aqua. According to the 2022 Permit, the stated basis for Respondent's denial of Aqua's request to modify Additional Condition No. 6 is the Agreed Interim Order, not the Nitrate Documents. Moreover, Respondent deprived Aqua of the rights to question Respondent's personnel on the Nitrate Documents at deposition and to prepare a rebuttal witness regarding the Nitrate Documents for Hearing, because Respondent excluded those documents from the record until the eve of Hearing.

8. At Hearing, Respondent did not refute the statements in Aqua's Motion in Limine but instead explained that Respondent added the Nitrate Documents to the record because they were mentioned during Mr. Cook's deposition and that Respondent feared that Aqua would submit a motion to include them. (*See* Ex. 2, Hearing Transcript at 9:10-10:5).

9. The mention of the Nitrate Document by Respondent's employee during a deposition does not justify Respondent's exclusion of the Nitrate Documents from the purportedly complete records filed by Respondent on August 26, 2022 and September 2, 2022.

10. The Hearing Officer denied the Motion in Limine at Hearing on the basis that Aqua should have further extended the decision deadline and delayed the Hearing if its Motion in Limine was important.³

³ In full, the Hearing Officer explained as follows at Hearing: "I'm gonna deny the motion in limine. And if you really don't like my decision, you can appeal that, too, with the Board, and we'll take it with the case. And, I mean, if it was, I think, that imperative, I think we could have filed another extension of the waiver decision deadline and possibly kicked the hearing out farther." (Ex. 2, Hearing Transcript at 10:21-11:3).

11. Aqua respectfully submits that the Environmental Protection Act's decision deadline cannot properly be a basis to deny the Motion in Limine. Indeed, no petitioner should be required waive the decision deadline in order to prevail on a motion in limine regarding documents not timely filed by a respondent. Here, Respondent had multiple opportunities to file the Nitrate Documents as part of the record—and was required to do so by August 26, *see* Hearing Officer Order (Aug. 19, 2022)—but it inexplicably declined to do so until the eleventh hour, just two business days before the Hearing. A petitioner should not be required to waive its right to a timely decision under the Act in order to remedy Respondent's repeated failure to comply with Sections 105.212 and 105.116 of the Board's rules, 35 Ill. Admin. Code §§ 105.212, 105.116.

Thus, for the foregoing reasons, Aqua respectfully requests that the Board overturn the Hearing Officer's order denying Aqua's Motion in Limine, enter an order excluding any references, testimony, or argument in this matter relating to the Nitrate Documents relative to Additional Condition No. 6, and grant such other relief as the Board deems appropriate.

Respectfully submitted,

Aqua Illinois, Inc.

Dated: October 17, 2022

/s/ Daniel J. Deeb
One of its Attorneys

Daniel J. Deeb
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Sarah.Lode@afslaw.com

Attorneys for Aqua Illinois, Inc.

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 17th day of October, 2022:

I have electronically served a true and correct copy of Petitioner's Motion for Interlocutory Appeal of Hearing Officer's Order on Petitioner's Motion in Limine, by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

To: Don Brown
Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren St.
Suite 630
Chicago, IL 60605
Don.Brown@illinois.gov

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My e-mail address is Sarah.Lode@afslaw.com.

The number of pages in the e-mail transmission is 95.

The e-mail transmission took place before 5:00 p.m.

/s/ Sarah L. Lode
Sarah L. Lode

Dated: October 17, 2022

Daniel J. Deeb
Alex Garel-Frantzen

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Attorneys for Aqua Illinois, Inc.

CH2:26455256.1

EXHIBIT 1

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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	Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
	Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S MOTION IN LIMINE** and **CERTIFICATE OF SERVICE**, copies are which are herewith served upon you.

Dated: September 27, 2022

/s/ Sarah L. Lode
One of its Attorneys

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)	
Respondent.)	
)	

**PETITIONER'S
MOTION IN LIMINE**

Petitioner Aqua Illinois, Inc. (“Aqua”), by and through its counsel, ArentFox Schiff, LLP, respectfully moves the Hearing Officer of the Illinois Pollution Control Board (the “Board”) for an order limiting the use of certain documents added to the record filed by Respondent on September 23, 2022. More specifically, Aqua moves to exclude any references, testimony, or argument at hearing relating to the following two documents relative to Additional Condition No. 6: (1) “Email from David Cook dated November 5, 2021 with Kankakee and Iroquois River nitrate data and related emails,” R 000581-000600, and (2) “Kankakee WTP TP01 Nitrate,” R 000601, attached hereto as Exhibits A & B, respectively (collectively, the “Nitrate Documents”). In support of this motion, Aqua states as follows:

1. Aqua owns and operates the Aqua Illinois-University Park public water system. (Petition for Review at ¶ 2). On April 1, 2022, Respondent received requests from Aqua to modify Additional Condition No. 6 of the 2021 Permit to eliminate the requirement to collect compliance samples every month and instead allow sample collection as required by the Lead and Copper Rule. (*Id.* at ¶ 12). Via the last paragraph of the 2022 Permit, Respondent denied Aqua’s request

to modify Additional Condition No. 6 for the stated basis that the Agreed Interim Order precluded Respondent from doing so: “As the Agreed Interim Order requires monthly monitoring, Aqua’s request to modify additional condition #6 is denied.” (*Id.* at ¶ 13). On July 8, 2022, Aqua timely filed its Petition for Review of aspects of the 2022 Permit, including Respondent’s decision to deny Aqua’s request to modify Additional Condition No. 6. *Id.*

2. On August 26, 2022, Respondent purported to file a complete record including in regards to its decision as to Additional Condition No. 6. The record did not include the Nitrate Documents. *See* Respondent’s Certificate of Record on Appeal (Aug. 26, 2022), attached hereto as Exhibit C. Nor did Respondent’s proposed amended record, which was attached to its September 2, 2022, motion to amend the record and supposedly solely concerned documents related to Additional Condition No. 6, contain the Nitrate Documents. *See* Respondent’s Amended Certificate of Record on Appeal (Sept. 2, 2022), attached hereto without the Amended Record on Appeal as Exhibit D.

3. Aqua took the depositions of the following IEPA employees on the dates noted in parentheses in reliance on Respondent’s position as to the constitution of the purportedly complete record as to Additional Condition No. 6: Mssrs. Sanjay Sofat (September 15), Michael Brown (September 15), David Cook (September 19), and Michael Roubitchek (September 21).

4. Mr. Cook’s deposition testimony referenced nitrate data but explained that he could not discuss it because the documents were not present. *See* Transcript of Deposition of David Cook at 62:3-63:5 (Sept. 19, 2022), attached hereto as Exhibit E (Q. “Are you aware of the ranges that would be required in order to evaluate the impact of nitrate variability on lead in the UP System?” A. “There would have to be enough data at the upper range based on historic values to do that evaluation. . . . I don’t have that information in front of me.”); *id.* at 68:19-69:3 (Q. “And

so what is that variability from the Aqua historical data that you would expect?” A. “I don’t recall. I didn’t review that data before this deposition.”); *id.* at 90:5-12 (Q. “Does someone at the Agency have an answer as to the historical levels that would be expected to be observed in the UP System of nitrate?” A. “I could answer if – if we reviewed the data again.”).

5. On September 19, 2022, the Hearing Officer denied Respondent’s motion to amend the record and ordered Respondent to file the entire record.

6. Pursuant to the Hearing Officer’s order, Respondent filed another purportedly complete record on September 23, 2022. For the first time, Respondent included the Nitrate Documents in the record.¹ *See* Respondent’s Certificate of Record on Appeal Filed on 9.23.22, attached hereto as Exhibit F. While it is perhaps understandable that Respondent submitted additional record documents on September 23 pursuant to the Hearing Officer’s order, those additional Nitrate Documents should not relate to Additional Condition No. 6 and should not be permitted for use for that purpose.

7. The Board’s rules establish the standard for the admissibility of evidence: the Hearing Officer “will admit evidence that is admissible under the rules of evidence as applied in the civil courts of Illinois.” 35 Ill. Admin. Code § 101.626. The Hearing Officer may only “admit evidence that is material, relevant, and would be relied upon by prudent persons in the conduct of serious affairs, unless the evidence is privileged.” *Id.* § 101.626(a).

8. Here, the Nitrate Documents are neither material nor relevant to the hearing with respect to Additional Condition No. 6 and would unduly prejudice Aqua if used by Respondent at hearing. According to the 2022 Permit at issue, the stated basis for Respondent’s denial of Aqua’s

¹ Petitioner expeditiously completed its initial review of the updated record within the following business day of its filing on Friday, September 23, 2022, but was not aware of the Nitrate Documents at the time of the Status Conference on Monday, September 26, 2022.

request to modify Additional Condition No. 6 is the Agreed Interim Order, not the Nitrate Documents. Moreover, Respondent deprived Aqua of the right to question Msrs. Sofat, Brown, Cook, and Roubitchek on the Nitrate Documents, and to prepare a rebuttal witness regarding any testimony concerning the Nitrate Documents, because Respondent excluded those documents from the records filed on August 26 and September 2. Aqua would be unduly prejudiced if Respondent were to use the Nitrate Documents at hearing to support its decision as to Additional Condition No. 6 of the 2022 Permit.

Thus, for the foregoing reasons, Aqua respectfully requests that the Hearing Officer grant Aqua's motion in limine and enter an order to exclude any references, testimony, or argument at hearing relating to the Nitrate Documents relative to Additional Condition No. 6 and grant such other relief as the Board and Hearing Officer deems appropriate.

Respectfully submitted,

Aqua Illinois, Inc.

Dated: September 27, 2022

/s/ Daniel J. Deeb
One of its Attorneys

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Attorneys for Aqua Illinois, Inc.

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 27th day of September, 2022:

I have electronically served a true and correct copy of Petitioner's Motion in Limine, by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

To: Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 annmarie.hanohano@ilag.gov
Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

My e-mail address is Sarah.Lode@afslaw.com. The

number of pages in the e-mail transmission is 68.

The e-mail transmission took place before 5:00 p.m.

/s/ Sarah L. Lode

Sarah L. Lode

Dated: September 26, 2022

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CH2:26390639.1

EXHIBIT A

From: Cook, David

Sent: Friday, November 5, 2021 8:23 AM

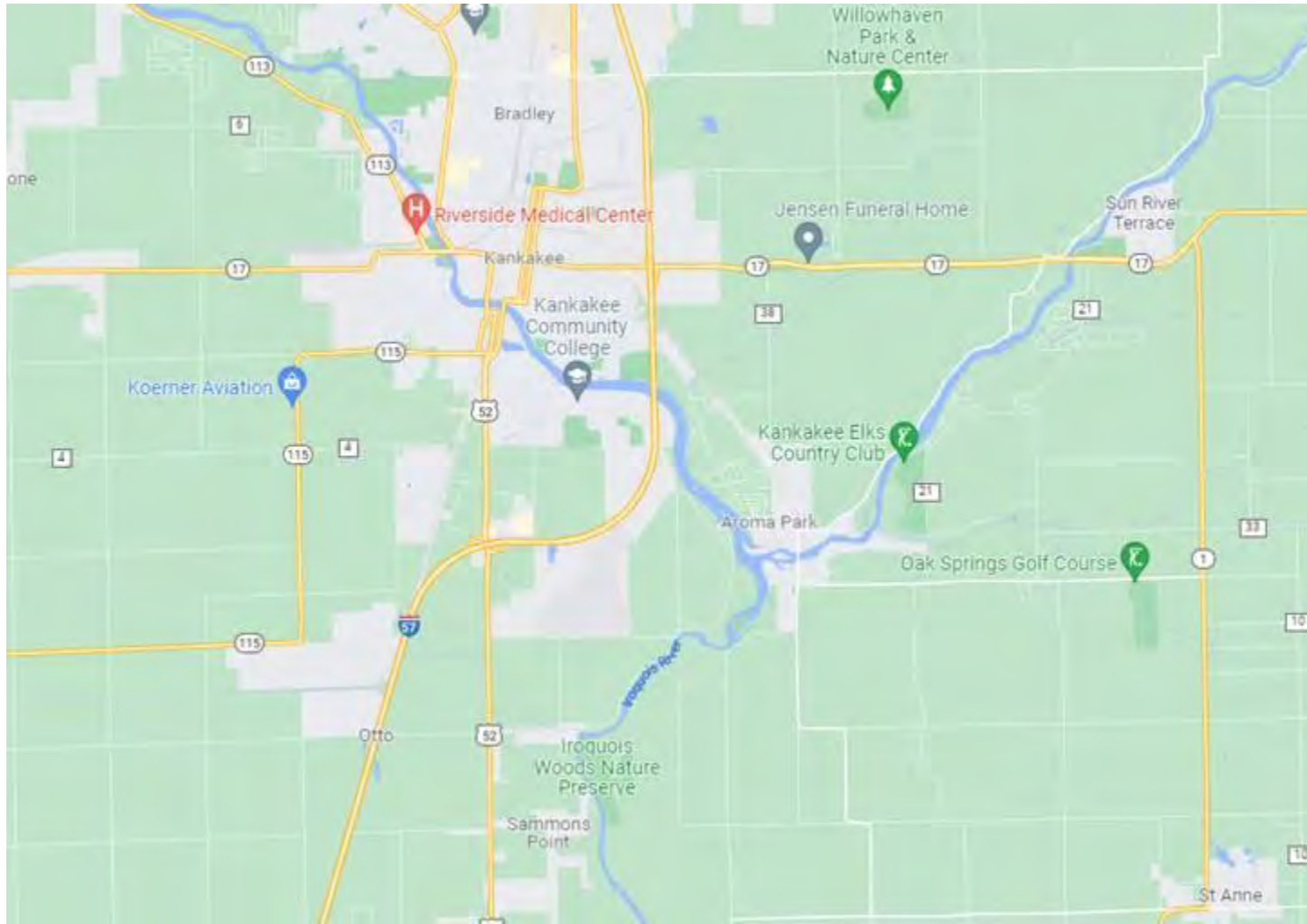
To: Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>; Brown, Michael L. <Michael.L.Brown@Illinois.gov>; Vance, Steve <STEVE.VANCE@Illinois.gov>; Reed, Mary F <MARY.F.REED@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>; Larsen, Jenny <Jenny.Larsen@Illinois.gov>

Subject: FW: Aqua IL - Kankakee River nitrate data and Iroquois River nitrate data

StationCode	WaterbodyName	CollectionDate	CollectionTime	MethodCode	Analyte	Result	ResultUnits
FL-02	IROQUOIS RIVER	3/8/2021	11:50:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	4/12/2021	12:30:00	353.2	Inorganic nitrogen (nitrate and nitrite)	5.02	mg/l
FL-02	IROQUOIS RIVER	5/24/2021	11:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	8.17	mg/l
FL-02	IROQUOIS RIVER	6/21/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	7/27/2021	11:40:00	353.2	Inorganic nitrogen (nitrate and nitrite)	3.4	mg/l
FL-02	IROQUOIS RIVER	8/30/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	ND	mg/l

Activity	Start Date	Activity	Start Time	Start Time	Ring Location	Monitoring Location	Characteristic Name	Result Value	Result Units	Result Comment	Method
	05-29-2013		10:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	18.3	mg/l		353.2
	04-16-2013		9:14:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	16.3	mg/l		353.2
	05-17-2004		9:15:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15.3	mg/l		353.2
	06-20-2000		11:35:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l		LAB
	05-29-2001		1:50:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l		LAB
	05-20-2010		11:52:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l	Y	353.2
	05-21-2014		8:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	14.6	mg/l		353.2
	05-24-2000		1:00:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	14	mg/l		LAB
	03-12-2013		10:35:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	13.7	mg/l		353.2
	06-27-2016		10:40:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	13.3	mg/l		353.2
	05-23-2006		12:30:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	12.4	mg/l		353.2
	02-15-2001		12:15:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	12	mg/l		LAB
	03-08-1999		11:30:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l		LAB
	03-10-2004		9:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l	Y	353.2
	05-18-2011		10:40:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l		353.2
	06-24-2014		9:05:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.8	mg/l		353.2
	01-15-2013		9:04:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.5	mg/l		353.2
	06-26-2003		8:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.3	mg/l	J1,J3,J4	353.2
	03-02-2011		10:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.3	mg/l		353.2
	05-22-2003		9:15:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.2	mg/l	J1,J3,J4	353.2
	04-24-2001		11:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10	mg/l		LAB
	06-24-2013		9:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10	mg/l		353.2
	05-23-2012		9:04:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.88	mg/l		353.2
	06-26-2001		11:30:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.7	mg/l		LAB
	07-06-2011		9:25:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.68	mg/l		353.2
	04-11-2006		1:05:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.61	mg/l		353.2
	05-14-2019		2:00:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.52	mg/l		353.2
	12-11-2003		9:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.24	mg/l	J1,J3,J4	353.2
	04-17-2002		8:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9	mg/l		LAB
	04-15-2003		12:25:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.94	mg/l	J1,J3,J4	353.2
	12-07-2006		1:00:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.94	mg/l		353.2

Station	Coc	WaterbodyName	Collection[	CollectionT	MethodCo	Analyte	Result	ResultUnit	Qualifier
F-02		KANKAKEE RIVER	3/8/2021	13:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	2.72	mg/l	
F-02		KANKAKEE RIVER	4/12/2021	13:30:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.32	mg/l	
F-02		KANKAKEE RIVER	5/24/2021	12:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.1	mg/l	Y
F-02		KANKAKEE RIVER	6/21/2021	12:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.11	mg/l	
F-02		KANKAKEE RIVER	7/27/2021	12:55:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.04	mg/l	
F-02		KANKAKEE RIVER	8/30/2021	13:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	0.788	mg/l	



From: Cook, David

Sent: Thursday, November 4, 2021 12:25 PM

To: Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>; Brown, Michael L. <Michael.L.Brown@Illinois.gov>; Vance, Steve <STEVE.VANCE@Illinois.gov>; Reed, Mary F <MARY.F.REED@Illinois.gov>; Roubitchek, Mike <Mike.Roubitchek@Illinois.gov>; Larsen, Jenny <Jenny.Larsen@Illinois.gov>

Subject: Aqua IL - Kankakee River nitrate data

I added the first two tabs and copied just the nitrate data for the Kankakee River. Looking at Google Earth, the sample point is approximately 14.5 river miles upstream of the water plant. There are 400 total data points for nitrate. The highest ones are copied below.

C	D	E
Result Val	Param	Start Date
6.50	630	5/28/1986
6.30	630	2/4/1981
5.90	630	5/11/1981
5.20	630	4/2/1980
4.80	630	4/2/1980
4.80	630	5/30/1989
4.60	630	6/23/1987
4.60	630	1/13/1989
4.50	630	4/3/1989
4.40	630	3/10/1980
4.40	630	11/20/1991
4.30	630	5/29/1984
4.20	630	4/4/1988
4.10	630	11/25/1985

Activity	Start Date	Result Value	Result Uni
	01-15-2013	15.3	mg/l
	05-24-1999	11	mg/l
	06-27-2016	8.77	mg/l
	02-14-2001	5.6	mg/l
	04-16-2013	5.54	mg/l
	03-10-2004	4.79	mg/l
	06-20-2000	4.2	mg/l
	06-24-2013	4.02	mg/l
	03-12-2013	3.86	mg/l
	10-17-2001	3.8	mg/l
	11-05-2018	3.47	mg/l
	05-17-2004	3.15	mg/l

From: Good, Gregg <Gregg.Good@Illinois.gov>

Sent: Thursday, November 4, 2021 9:01 AM

To: Cook, David <DAVID.COOK@Illinois.gov>

Cc: Cain, Missy <Missy.Cain@Illinois.gov>

Subject: FW: F-02 data

David, before looking too much at the legacy (pre-1999) dataset, see my note to the lab below. I just want to make sure that what I'm telling you below is 100% accurate. I'm 99% sure it is, but.....

Tom responded and said he'd get us an answer tomorrow.

Gregg Good, Manager
Surface Water Section
Division of Water Pollution Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Work Phone: 217/782-7028
Cell Phone: 217/816-4555
E-mail: Gregg.Good@Illinois.gov

From: Good, Gregg
Sent: Thursday, November 4, 2021 8:48 AM
To: Weiss, Tom <Tom.Weiss@illinois.gov>; Turpin, Kelly <Kelly.Turpin@Illinois.gov>
Cc: Cain, Missy <Missy.Cain@Illinois.gov>
Subject: FW: F-02 data

Tom or Kelly, please see my response below and the attached table.

Question. Would you agree that the current parameter name *"Inorganic Nitrogen (nitrate and nitrite)"* (used in our 1999 to present data set) equates to the pre-1999 legacy data set parameter code 630, *"NO2&NO3, N-TOTAL"*?

Just wanting to make 100% sure those two parameters names and analyses are essentially synonymous with each other.

Thanks.

Gregg Good, Manager
Surface Water Section
Division of Water Pollution Control
Illinois Environmental Protection Agency
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P.O. Box 19276
Springfield, Illinois 62794-9276
Work Phone: 217/782-7028

Cell Phone: 217/816-4555

E-mail: Gregg.Good@Illinois.gov

From: Good, Gregg

Sent: Thursday, November 4, 2021 8:39 AM

To: Cain, Missy <Missy.Cain@Illinois.gov>; Cook, David <DAVID.COOK@Illinois.gov>; Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>

Cc: Twait, Scott <Scott.Twait@Illinois.gov>

Subject: RE: F-02 data

I was just about to hit the “send” button, but Missy beat me to it. My response was going to be:

- In the “Data Table” tab (data from 1999 to present), see Column CI. Search on “Inorganic Nitrogen (nitrate and nitrite).”
- In the “Legacy Data Table” tab (data prior to 1999), see Column L. Search on Parameter Code 630. In the “Legacy Parameter Code List” tab, note that in Column A (row 428), Parameter Code 630 = “NO2&NO3, N-TOTAL.”

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E-mail: Gregg.Good@Illinois.gov

From: Cain, Missy <Missy.Cain@Illinois.gov>

Sent: Thursday, November 4, 2021 8:32 AM

To: Cook, David <DAVID.COOK@Illinois.gov>; Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>

Cc: Good, Gregg <Gregg.Good@Illinois.gov>; Twait, Scott <Scott.Twait@Illinois.gov>

Subject: RE: F-02 data

David,

I’m sorry. I know these tables are not straight-forward. I’ll try to help as much as I can.

I included all parameter data in these tables so you could see what we have and pick and choose what you would like to use.

In the Data Table tab, the Characteristic Name column (column CL) is where you would look for the parameter name nitrate or any other variations of that name that may have been used.

The legacy data isn't as clear. In the Legacy Data Table tab, the Param column (column L) contains a pcode which represents a parameter name. The definitions of the pcodes can be found in the Legacy Parameter Code List tab under the Parameter No. column (column A).

Again, I didn't filter the data for any particular analytes for the data in either tab so that I could give you what we have stored and not miss anything you might be interested in. Also, I'm not totally familiar with all the variations of the analyte names that could mean the same thing.

I hope this helps.

Missy

From: Cook, David <DAVID.COOK@Illinois.gov>
Sent: Thursday, November 4, 2021 8:07 AM
To: Cain, Missy <Missy.Cain@Illinois.gov>; Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>
Cc: Good, Gregg <Gregg.Good@Illinois.gov>; Twait, Scott <Scott.Twait@Illinois.gov>
Subject: RE: F-02 data

Which tab and column have the nitrate data?

From: Cain, Missy <Missy.Cain@Illinois.gov>
Sent: Wednesday, November 3, 2021 2:40 PM
To: Sofat, Sanjay <Sanjay.Sofat@Illinois.gov>
Cc: Good, Gregg <Gregg.Good@Illinois.gov>; Twait, Scott <Scott.Twait@Illinois.gov>; Cook, David <DAVID.COOK@Illinois.gov>
Subject: F-02 data

Sanjay,

I've attached an Excel file of data for site F-02. The Data Table worksheet has data from 1999 to 2021 and the Legacy Data Table worksheet has data prior to 1999. The Legacy Parameter Code List will help cross-reference the parameter codes (pcodes) that are used in the Legacy Data Table with parameter names. You will notice that the station referenced in The Legacy Data Table is sometimes F-02 or 05520500, which is an alternate ID that was used at that time for F-02.

I hope this helps. I am here until 3:00 if you need anything else.

Thanks,

Missy

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Activity Start Date	Activity Start Time	Start Time	Sampling Location	Monitoring Location Name	Characteristic Name	Result Value	Result Units	Result Comment	Method ID
05-29-2013	10:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	18.3	mg/l		353.2
04-16-2013	9:14:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	16.3	mg/l		353.2
05-17-2004	9:15:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15.3	mg/l		353.2
06-20-2000	11:35:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l		LAB
05-29-2001	1:50:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l		LAB
05-20-2010	11:52:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	15	mg/l	Y	353.2
05-21-2014	8:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	14.6	mg/l		353.2
05-24-2000	1:00:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	14	mg/l		LAB
03-12-2013	10:35:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	13.7	mg/l		353.2
06-27-2016	10:40:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	13.3	mg/l		353.2
05-23-2006	12:30:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	12.4	mg/l		353.2
02-15-2001	12:15:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	12	mg/l		LAB
03-08-1999	11:30:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l		LAB
03-10-2004	9:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l	Y	353.2
05-18-2011	10:40:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	11	mg/l		353.2
06-24-2014	9:05:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.8	mg/l		353.2
01-15-2013	9:04:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.5	mg/l		353.2
06-26-2003	8:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.3	mg/l	J1,J3,J4	353.2
03-02-2011	10:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.3	mg/l		353.2
05-22-2003	9:15:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10.2	mg/l	J1,J3,J4	353.2
04-24-2001	11:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10	mg/l		LAB
06-24-2013	9:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	10	mg/l		353.2
05-23-2012	9:04:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.88	mg/l		353.2
06-26-2001	11:30:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.7	mg/l		LAB
07-06-2011	9:25:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.68	mg/l		353.2
04-11-2006	1:05:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.61	mg/l		353.2
05-14-2019	2:00:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.52	mg/l		353.2
12-11-2003	9:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9.24	mg/l	J1,J3,J4	353.2
04-17-2002	8:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	9	mg/l		LAB
04-15-2003	12:25:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.94	mg/l	J1,J3,J4	353.2
12-07-2005	1:00:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.94	mg/l		353.2
04-11-2016	11:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.88	mg/l		353.2
06-24-2002	11:00:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.82	mg/l		LAB
06-28-2004	9:45:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.81	mg/l		353.2
05-30-2017	10:25:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.78	mg/l		353.2
05-13-2008	10:50:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.62	mg/l		353.2
03-08-2000	11:00:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.5	mg/l		LAB
01-21-2004	1:45:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.48	mg/l		353.2
01-18-2006	1:50:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.42	mg/l		353.2
05-13-2002	3:30:00 PM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.3	mg/l		LAB
04-16-2004	9:30:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.24	mg/l		353.2
07-05-2017	10:30:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.24	mg/l		353.2
04-10-2017	10:45:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.06	mg/l		353.2
03-07-2016	11:25:00 AM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8.02	mg/l		353.2
04-18-2000	11:30:00 AM	CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8	mg/l		LAB
12-11-2001	2:25:00 PM	CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	8	mg/l		LAB

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07-08-2019	12:20:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.92	mg/l		353.2
06-08-2020	11:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.91	mg/l		353.2
06-08-2010	3:05:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.88	mg/l		353.2
03-04-2005	12:05:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.8	mg/l		353.2
05-10-2016	9:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.72	mg/l		353.2
03-01-2006	2:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.71	mg/l	Q	353.2
03-31-1999	1:00:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.7	mg/l		LAB
04-12-2011	9:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.67	mg/l		353.2
01-29-2017	2:25:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.48	mg/l		353.2
12-11-2018	7:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.31	mg/l		353.2
06-30-1999	11:00:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.3	mg/l		LAB
04-03-2019	6:45:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.3	mg/l		353.2
11-28-2006	1:20:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.19	mg/l		353.2
04-16-2014	9:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.03	mg/l		353.2
06-13-2005	9:30:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	7.01	mg/l		353.2
11-04-2004	1:30:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.96	mg/l		353.2
04-17-2018	5:00:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.91	mg/l		353.2
03-03-2009	11:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.84	mg/l		353.2
01-23-2002	2:30:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.7	mg/l		LAB
11-23-2015	1:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.7	mg/l		353.2
03-07-2017	11:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.7	mg/l		353.2
03-03-2020	11:40:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.59	mg/l		353.2
05-27-2015	11:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.55	mg/l		353.2
01-17-2007	1:05:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.49	mg/l		353.2
11-05-2019	11:20:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.39	mg/l		353.2
02-21-2019	11:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.29	mg/l		353.2
06-26-2018	12:30:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.25	mg/l		353.2
03-05-2012	9:20:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.16	mg/l		353.2
06-21-2010	12:00:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	6.03	mg/l		353.2
06-02-2009	12:58:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.88	mg/l		353.2
03-24-2015	10:20:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.88	mg/l		353.2
01-28-2020	11:10:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.85	mg/l		353.2
06-25-2008	11:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.84	mg/l		353.2
01-15-2003	10:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.82	mg/l	J1,J3,J4	353.2
10-30-2003	8:15:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.79	mg/l	J1,J3,J4	353.2
01-24-2018	3:30:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.79	mg/l		353.2
03-05-2018	2:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.76	mg/l		353.2
08-08-2003	9:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.73	mg/l	J1,J3,J4	353.2
12-13-2016	11:10:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.72	mg/l		353.2
04-13-2009	10:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.67	mg/l		353.2
10-17-2006	1:50:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.62	mg/l		353.2
03-15-2010	1:19:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.58	mg/l		353.2
12-17-2008	12:10:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.5	mg/l		353.2
12-13-2011	9:05:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.5	mg/l		353.2
11-01-2017	2:45:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.49	mg/l		353.2
02-01-2016	8:55:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.46	mg/l		353.2
01-17-2012	11:19:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.45	mg/l		353.2

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01-27-2015	12:45:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.38	mg/l	353.2
01-22-2009	1:30:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.21	mg/l	353.2
12-18-2009	1:35:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.19	mg/l	353.2
11-06-2012	12:01:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.16	mg/l	353.2
07-22-2015	10:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.08	mg/l	353.2
11-06-2018	7:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.07	mg/l	353.2
02-10-2010	1:00:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	5.05	mg/l	353.2
04-14-2015	10:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.95	mg/l	353.2
12-16-2019	11:15:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.94	mg/l	353.2
01-13-2005	11:40:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.79	mg/l	353.2
03-24-2005	1:20:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.74	mg/l	353.2
12-11-2017	3:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.63	mg/l	353.2
05-20-2005	8:30:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.61	mg/l	353.2
04-20-2010	12:35:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.5	mg/l	353.2
10-17-2001	2:00:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.4	mg/l	LAB
07-29-2014	11:25:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.4	mg/l	353.2
12-18-2013	10:59:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.38	mg/l	353.2
09-14-2015	1:45:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.38	mg/l	353.2
07-07-2009	11:02:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.37	mg/l	353.2
08-05-2002	11:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.33	mg/l	LAB
01-26-2011	7:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.3	mg/l	353.2
09-13-2016	9:55:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.27	mg/l	353.2
12-09-2010	10:15:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.2	mg/l	353.2
05-24-1999	11:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	4.1	mg/l	LAB
05-15-2018	11:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.91	mg/l	353.2
04-17-2012	11:22:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.9	mg/l	353.2
08-07-2017	12:30:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.84	mg/l	353.2
09-16-2004	1:45:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.59	mg/l	353.2
11-04-2009	2:35:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.5	mg/l	353.2
11-02-2016	10:10:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.41	mg/l	353.2
08-06-2001	1:30:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.3	mg/l	LAB
02-26-2003	10:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.18	mg/l	J1,J3,J4 353.2
07-13-2020	2:15:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.13	mg/l	353.2
07-13-2020	11:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.11	mg/l	353.2
09-09-2014	10:05:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3.06	mg/l	353.2
11-02-2005	12:45:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	3	mg/l	352.1
11-18-2008	12:14:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.91	mg/l	353.2
08-11-2015	10:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.89	mg/l	353.2
08-08-2016	10:00:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.83	mg/l	353.2
10-26-2015	12:30:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.8	mg/l	353.2
09-12-2006	1:00:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.75	mg/l	353.2
08-16-2000	10:42:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.5	mg/l	LAB
09-19-2003	8:30:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.48	mg/l	J1,J3,J4 353.2
07-14-2015	11:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.45	mg/l	353.2
09-02-2015	10:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.44	mg/l	353.2
08-09-2004	10:15:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.4	mg/l	353.2
09-24-2008	2:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.38	mg/l	353.2

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08-12-2008	9:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.3	mg/l		353.2
12-04-2012	9:04:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.29	mg/l		353.2
01-25-2021	8:30:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2.11	mg/l		353.2
03-11-2014	9:30:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	2	mg/l		353.2
11-08-2011	9:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.84	mg/l		353.2
09-11-2001	11:50:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.79	mg/l		LAB
09-09-2015	11:35:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.55	mg/l		353.2
07-28-1999		FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.48	mg/l		LAB
09-17-2019	11:20:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.41	mg/l		353.2
08-02-2010	12:35:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.4	mg/l		353.2
12-11-2002	12:45:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.3	mg/l	J1,J3,J4	LAB
11-06-2013	10:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.26	mg/l		353.2
08-10-2011	8:55:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.22	mg/l		353.2
12-21-2020	10:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.21	mg/l		353.2
09-26-2017	11:40:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.11	mg/l		353.2
07-28-2005	9:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	1.02	mg/l		353.2
09-24-2013	8:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.939	mg/l		353.2
08-09-2010	12:24:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.878	mg/l		353.2
08-12-2013	9:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.834	mg/l		353.2
09-20-2002	9:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.72	mg/l		LAB
07-23-2018	10:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.692	mg/l		353.2
09-20-2011	9:00:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.622	mg/l		353.2
08-20-2019	11:20:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.536	mg/l		353.2
09-21-2020	11:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.489	mg/l		353.2
08-17-2020	11:40:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.46	mg/l		353.2
09-11-2018	10:35:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.45	mg/l		353.2
11-02-2020	11:40:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.362	mg/l		353.2
09-13-2010	12:15:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.349	mg/l		353.2
09-13-2010	1:30:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.342	mg/l		353.2
10-23-2002	9:15:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.3	mg/l	J1,J3,J4	LAB
09-18-2012	8:55:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.296	mg/l		353.2
09-15-2000	9:45:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.29	mg/l		LAB
10-13-2020	1:30:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.197	mg/l		353.2
09-15-2005	9:45:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.16	mg/l		353.2
09-21-2009	11:20:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.11	mg/l		353.2
08-07-2012	8:49:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.084	mg/l	J	353.2
08-31-1999	11:30:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.08	mg/l		LAB
08-14-2009	12:41:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.06	mg/l	J	353.2
11-01-2010	9:15:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.049	mg/l	J	353.2
07-11-2012	10:35:00 AM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.041	mg/l	J	353.2
09-22-1999	12:00:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)	0.02	mg/l		LAB
10-26-1999	11:00:00 AM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)		mg/l	ND	LAB
11-02-2000	2:40:00 PM CST	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)		mg/l	ND	LAB
09-03-2020	12:00:00 PM CDT	FL-02	Iroquois River	Inorganic nitrogen (nitrate and nitrite)		mg/l	ND	353.2

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StationCode	WaterbodyName	CollectionDate	CollectionTime	MethodCode	Analyte	Result	ResultUnits
FL-02	IROQUOIS RIVER	3/8/2021	11:50:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	4/12/2021	12:30:00	353.2	Inorganic nitrogen (nitrate and nitrite)	5.02	mg/l
FL-02	IROQUOIS RIVER	5/24/2021	11:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	8.17	mg/l
FL-02	IROQUOIS RIVER	6/21/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	7/27/2021	11:40:00	353.2	Inorganic nitrogen (nitrate and nitrite)	3.4	mg/l
FL-02	IROQUOIS RIVER	8/30/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	ND	mg/l

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StationCode	WaterbodyName	CollectionDate	CollectionTime	MethodCode	Analyte	Result	ResultUnits
FL-02	IROQUOIS RIVER	3/8/2021	11:50:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	4/12/2021	12:30:00	353.2	Inorganic nitrogen (nitrate and nitrite)	5.02	mg/l
FL-02	IROQUOIS RIVER	5/24/2021	11:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	8.17	mg/l
FL-02	IROQUOIS RIVER	6/21/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	6.38	mg/l
FL-02	IROQUOIS RIVER	7/27/2021	11:40:00	353.2	Inorganic nitrogen (nitrate and nitrite)	3.4	mg/l
FL-02	IROQUOIS RIVER	8/30/2021	11:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	ND	mg/l

Additional Tabs labeled: Disclaimer, Data Table, Unreviewed
Data Table, Site Location Information
and Data Qualifiers redacted, as not relied upon

Activity Start Date	Activity Start Time	Start Tim	Monitoring Location ID	ing Locatid	oring Location	Characteristic Name	Result Valu	Result Uni	ult Comm	Analytical Method ID
01-15-2013	10:00:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	15.3	mg/l		353.2
05-24-1999	10:45:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	11	mg/l		LAB
06-27-2016	12:35:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	8.77	mg/l		353.2
02-14-2001	3:30:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	5.6	mg/l		LAB
04-16-2013	10:14:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	5.54	mg/l		353.2
03-10-2004	10:00:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	4.79	mg/l	Y	353.2
06-20-2000	10:15:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	4.2	mg/l		LAB
06-24-2013	10:00:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	4.02	mg/l		353.2
03-12-2013	11:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.86	mg/l		353.2
10-17-2001	7:50:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.8	mg/l		LAB
11-05-2018	1:45:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.47	mg/l		353.2
05-17-2004	10:15:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.15	mg/l		353.2
03-07-2016	12:40:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.11	mg/l		353.2
05-24-2000	11:30:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.1	mg/l		LAB
05-23-2006	8:20:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.07	mg/l		353.2
06-26-2018	2:30:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.04	mg/l		353.2
12-14-2004	1:50:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3.02	mg/l		353.2
03-02-2011	8:50:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	3	mg/l		353.2
05-30-2017	11:42:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.96	mg/l		353.2
04-11-2016	12:25:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.91	mg/l		353.2
01-17-2007	8:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.9	mg/l		353.2
12-11-2003	10:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.82	mg/l	J1,J3,J4	353.2
05-14-2002	9:00:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.8	mg/l		LAB
04-03-2019	4:45:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.77	mg/l		353.2
03-08-1999	10:15:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.6	mg/l		LAB
05-29-2013	10:59:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.56	mg/l		353.2
11-05-2019	11:30:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.54	mg/l		353.2
01-13-2005	10:10:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.47	mg/l		353.2
05-18-2011	11:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.44	mg/l		353.2
06-24-2014	10:10:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.41	mg/l		353.2
04-10-2017	11:50:00 AM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.38	mg/l		353.2
03-07-2017	12:00:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.34	mg/l		353.2
05-29-2001	12:00:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.3	mg/l		LAB
11-06-2013	11:15:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.3	mg/l		353.2
05-22-2003	10:15:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.29	mg/l	J1,J3,J4	353.2
01-18-2006	8:35:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.27	mg/l		353.2
03-03-2009	1:00:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.26	mg/l		353.2
01-25-2018	7:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.21	mg/l		353.2
01-28-2020	12:20:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.2	mg/l		353.2
12-10-2018	2:30:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.17	mg/l		353.2
03-06-2018	7:30:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.12	mg/l		353.2
03-05-2012	10:20:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.09	mg/l		353.2
04-15-2003	11:25:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.07	mg/l	J1,J3,J4	353.2
03-15-2010	1:54:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.07	mg/l		353.2
01-30-2017	10:20:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.05	mg/l		353.2
05-20-2010	1:09:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.04	mg/l	Y	353.2
01-22-2004	1:00:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.03	mg/l		353.2
07-14-2015	12:30:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	2.03	mg/l		353.2
03-04-2005	10:50:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.98	mg/l		353.2
12-18-2013	12:00:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.98	mg/l		353.2
11-28-2006	9:10:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.97	mg/l		353.2
12-13-2011	10:00:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.97	mg/l		353.2
07-06-2011	10:25:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.95	mg/l		353.2
11-04-2009	3:58:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.94	mg/l		353.2
05-21-2014	8:45:00 AM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.93	mg/l		353.2
05-14-2019	4:00:00 PM	CDT	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.92	mg/l		353.2
03-08-2000	12:15:00 PM	CST	F-02	Kankakee	River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.86	mg/l		LAB

04-17-2018	6:30:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.85	mg/l		353.2
02-21-2019	10:15:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.85	mg/l		353.2
04-16-2002	3:00:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.84	mg/l		LAB
11-06-2012	1:45:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.84	mg/l		353.2
03-01-2006	9:20:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.8	mg/l	Q	353.2
04-12-2011	10:35:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.8	mg/l		353.2
05-10-2016	11:00:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.8	mg/l		353.2
03-03-2020	12:45:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.8	mg/l		353.2
09-24-2013	9:50:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.78	mg/l		353.2
07-22-2015	12:30:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.78	mg/l		353.2
04-24-2001	12:30:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.76	mg/l		LAB
09-13-2016	11:10:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.76	mg/l		353.2
12-13-2016	12:15:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.76	mg/l		353.2
01-27-2015	4:30:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.69	mg/l		353.2
01-17-2012	12:40:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.66	mg/l		353.2
05-23-2012	9:54:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.66	mg/l		353.2
03-11-2014	10:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.66	mg/l		353.2
03-24-2005	12:15:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.65	mg/l		353.2
12-17-2008	1:30:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.65	mg/l		353.2
11-02-2016	11:05:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.62	mg/l		353.2
12-04-2012	10:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.61	mg/l		353.2
08-08-2017	9:20:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.6	mg/l		353.2
06-30-1999	10:00:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.57	mg/l		LAB
06-21-2010	1:30:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.57	mg/l		353.2
01-23-2002	8:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.54	mg/l		LAB
06-25-2001	11:40:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.52	mg/l		LAB
03-24-2015	11:40:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.47	mg/l		353.2
02-01-2016	10:20:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.46	mg/l		353.2
12-12-2017	7:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.46	mg/l		353.2
08-12-2013	9:54:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.44	mg/l	J3	353.2
12-18-2009	12:15:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.43	mg/l		353.2
06-01-2010	3:30:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.43	mg/l		353.2
04-03-2001	12:30:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.4	mg/l		LAB
12-16-2019	12:30:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.4	mg/l		353.2
04-11-2006	8:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.36	mg/l		353.2
06-28-2004	10:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.31	mg/l		353.2
11-08-2011	10:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.31	mg/l		353.2
04-17-2014	8:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.3	mg/l		353.2
10-30-2003	9:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.28	mg/l	J1,J3,J4	353.2
01-22-2009	2:45:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.28	mg/l		353.2
07-08-2019	1:35:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.28	mg/l		353.2
11-01-2017	4:15:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.26	mg/l		353.2
04-13-2009	12:16:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.24	mg/l		353.2
05-15-2018	1:15:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.24	mg/l		353.2
05-27-2015	12:30:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.22	mg/l		353.2
01-26-2021	1:15:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.22	mg/l		353.2
03-31-1999	10:56:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.21	mg/l		LAB
09-02-2015	12:00:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.21	mg/l		353.2
09-11-2018	12:15:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.19	mg/l		353.2
09-09-2015	4:40:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.18	mg/l		353.2
04-16-2004	10:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.15	mg/l		353.2
10-17-2006	9:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.14	mg/l		353.2
02-10-2010	11:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.14	mg/l		353.2
08-08-2003	10:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.13	mg/l	J1,J3,J4	353.2
06-08-2020	1:45:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.12	mg/l		353.2
07-22-2020	8:55:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.1	mg/l		353.2
04-17-2012	1:20:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.09	mg/l		353.2
07-05-2017	11:30:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.09	mg/l		353.2

07-13-2020	12:45:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.09	mg/l	353.2
12-07-2005	8:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.07	mg/l	353.2
08-11-2015	11:45:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.07	mg/l	353.2
12-21-2020	12:15:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.06	mg/l	353.2
11-23-2015	2:40:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.05	mg/l	353.2
06-24-2002	12:15:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.04	mg/l	LAB
11-04-2004	12:25:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.03	mg/l	353.2
05-20-2005	9:15:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.02	mg/l	353.2
01-25-2011	2:55:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.01	mg/l	353.2
08-10-2011	10:10:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1.01	mg/l	353.2
01-15-2003	8:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1	mg/l	J1,J3,J4 353.2
08-23-2005	11:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	1	mg/l	353.2
02-02-2000	10:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.99	mg/l	LAB
07-23-2018	1:00:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.99	mg/l	353.2
06-02-2009	2:23:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.989	mg/l	353.2
12-09-2010	9:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.985	mg/l	353.2
06-13-2005	10:15:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.98	mg/l	353.2
08-09-2004	11:15:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.97	mg/l	353.2
08-20-2019	12:50:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.961	mg/l	353.2
09-15-2000	11:30:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.96	mg/l	LAB
11-18-2008	1:39:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.952	mg/l	353.2
04-14-2015	11:30:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.944	mg/l	353.2
09-16-2004	12:45:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.93	mg/l	353.2
09-20-2011	10:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.923	mg/l	353.2
02-26-2003	9:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.92	mg/l	J1,J3,J4 353.2
09-21-2020	12:50:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.919	mg/l	353.2
09-17-2019	12:20:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.912	mg/l	353.2
09-09-2014	11:00:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.91	mg/l	353.2
04-18-2000	9:20:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.89	mg/l	LAB
10-27-2015	6:57:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.878	mg/l	353.2
09-26-2017	1:10:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.865	mg/l	353.2
08-06-2001	11:45:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.86	mg/l	LAB
04-20-2010	1:45:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.848	mg/l	353.2
11-02-2020	12:35:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.846	mg/l	353.2
09-19-2003	7:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.84	mg/l	J1,J3,J4 353.2
10-28-2020	11:45:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.837	mg/l	353.2
09-23-2020	11:00:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.823	mg/l	353.2
07-26-2000	10:10:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.82	mg/l	LAB
08-05-2002	1:15:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.82	mg/l	LAB
09-12-2006	8:30:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.797	mg/l	353.2
12-11-2002	11:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.79	mg/l	J1,J3,J4 LAB
06-26-2003	9:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.787	mg/l	J1,J3,J4 353.2
08-31-1999	9:10:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.76	mg/l	LAB
11-02-2005	8:10:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.75	mg/l	352.1
08-08-2016	11:15:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.741	mg/l	353.2
07-07-2009	12:25:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.737	mg/l	353.2
08-09-2010	1:39:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.731	mg/l	353.2
09-13-2010	1:40:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.727	mg/l	353.2
09-18-2012	9:54:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.722	mg/l	353.2
09-14-2010	11:50:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.717	mg/l	353.2
09-21-2009	12:39:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.712	mg/l	353.2
10-23-2002	8:15:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.71	mg/l	J1,J3,J4 LAB
08-17-2020	12:45:00 PM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.654	mg/l	353.2
07-20-2010	12:50:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.642	mg/l	353.2
11-02-2000	1:20:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.64	mg/l	LAB
09-20-2002	7:45:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.58	mg/l	LAB
09-15-2005	8:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.57	mg/l	353.2
07-28-1999		F-02	Kankakee River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.56	mg/l	LAB

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11-01-2010	10:20:00 AM CST	F-02	Kankakee River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.548	mg/l		353.2
10-26-1999	9:30:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.52	mg/l		LAB
09-22-1999	10:30:00 AM CDT	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.49	mg/l		LAB
07-29-2014	12:25:00 PM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.482	mg/l		353.2
08-07-2012	9:44:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.397	mg/l		353.2
08-14-2009	11:20:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.369	mg/l		353.2
07-28-2005	9:45:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.25	mg/l		353.2
07-11-2012	11:49:00 AM CST	F-02	Kankakee | River/Stream	Inorganic nitrogen (nitrate and nitrite)	0.02	mg/l	J	353.2
07-20-2005	12:40:00 PM CST	F-02	Kankakee River/Stream	Inorganic nitrogen (nitrate and nitrite)		mg/l	ND,Q	353.2

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R 000599

StationCode	WaterbodyName	CollectionDate	CollectionTime	MethodCode	Analyte	Result	ResultUnits	Qualifier
F-02	KANKAKEE RIVER	3/8/2021	13:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	2.72	mg/l	
F-02	KANKAKEE RIVER	4/12/2021	13:30:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.32	mg/l	
F-02	KANKAKEE RIVER	5/24/2021	12:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.1	mg/l	Y
F-02	KANKAKEE RIVER	6/21/2021	12:45:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.11	mg/l	
F-02	KANKAKEE RIVER	7/27/2021	12:55:00	353.2	Inorganic nitrogen (nitrate and nitrite)	1.04	mg/l	
F-02	KANKAKEE RIVER	8/30/2021	13:00:00	353.2	Inorganic nitrogen (nitrate and nitrite)	0.788	mg/l	

Additional Tabs labeled: Nitrate Pre-1999, Data Table,
Legacy Data Table, Legacy Parameter Code List, Site
Location Info., and Data Qualifiers redacted, as not relied
upon

EXHIBIT B

Kankakee WTP - TP01

Date	Nitrate (mg/l)
4/12/2000	1.6
7/18/2001	2.7
8/22/2001	0.038
4/17/2002	3.2
9/25/2002	0.56
10/10/2002	0.65
10/23/2002	0.6
1/15/2003	2.6
7/22/2003	5.8
7/23/2003	3.1
10/22/2003	2.5
7/21/2004	2.7
7/21/2004	2.7
10/20/2005	1.1
4/12/2006	4
4/18/2007	2.5
5/1/2008	1.3
5/15/2008	3.7
4/15/2009	2.4
5/12/2010	6.9
12/9/2010	1.3
12/9/2010	1.2
1/12/2011	1.6
4/5/2011	1.8
7/13/2011	2.3
11/10/2011	1.3
1/12/2012	2.4
4/11/2012	1.6
4/4/2013	4.4
6/5/2014	2.2
4/15/2015	1.5
4/14/2016	3.5
4/13/2017	2.9
4/12/2018	1.8
4/24/2019	2.6
4/8/2020	1.7
4/7/2021	2.9
	6.9

EXHIBIT C

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 26th day of August, 2022, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Certificate of Record on Appeal and Record on Appeal, a true and correct copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Ann Marie A. Hanohano
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Assistant Attorney General
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Counsel for Aqua Illinois, Inc.
(via *e-mail*)

CERTIFICATE OF SERVICE

I, Ann Marie A. Hanohano, an Assistant Attorney General, hereby certify that on the 26th day of August, 2022, I caused to be served the foregoing Notice of Electronic Filing and Certificate of Record on Appeal and Record on Appeal upon the parties named on the attached Service List, via e-mail or electronic filing as indicated.

/s/ Ann Marie A. Hanohano
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
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Chicago, IL 60602
312.881.0556
annmarie.hanohano@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)
)
 Petitioner,)
)
 v.) PCB 2023-012
) (Permit Appeal-Public Water Supply)
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

CERTIFICATE OF RECORD ON APPEAL

Pursuant to 35 Ill. Adm. Code 105.116 and 105.212, the following constitutes an index of documents comprising the Record on Appeal¹:

Category I: Any permit application or other request that resulted in the Agency's final decision:

PAGES	DOCUMENT	DATE
R 000001-000007	Aqua request for Supplemental Permit	Mar. 24, 2022
R 000008-000013	Aqua request for Special Exception Permit	Mar. 28, 2022

Category II: Correspondence with the petitioner and any documents or materials submitted by the petitioner to the Agency related to the permit application:

None.

Category III: The permit denial letter that conforms to the requirements of Section 39(a) of the Act or the issued permit or other Agency final decision:

PAGES	DOCUMENT	DATE
R 000014-000016	IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	June 29, 2022

Category IV: The hearing file of any hearing that may have been held before the Agency, including any transcripts and exhibits:

¹ On August 8, 2022, Respondent filed a Motion to Dismiss Petitioner's Permit Appeal as to Additional Condition No. 3; and subsequently, on August 12, 2022, Petitioner filed a Motion to Voluntarily Withdraw Petition for Review as to Additional Condition No. 3. Accordingly, Respondent did not include documents concerning Additional Condition No. 3 in its Record on Appeal.

None.

Category V: Any other information the Agency relied upon in making its final decision:

A. Miscellaneous

PAGES	DOCUMENT	DATE
R 000017-000156	USEPA Guidance Document - Optimal Corrosion Control Treatment Evaluation Technical Recommendations for Primacy Agencies and Public Water Systems	March 2016
R 000157-000321	Aqua Corrosion Control Study Report (Parts 1 and 2)	Nov. 2019
R 000322-000341	Aqua (Dr. Crockett) Presentation	Mar. 24, 2020
R 000342-000350	Aqua (Dr. Crockett) Presentation**	July 1, 2021
R 000351-000362	Aqua (Dr. Crockett) Presentation**	July 14, 2021
R 000363-000372	Dr. Edwards Presentation*	July 14, 2021
R 000373-000382	Aqua Chemical Change Description**	July 15, 2021
R 000383-000434	IEPA Construction Permit No. 0071-FY2021**	July 30, 2021
R 00435-000442	IEPA Operating Permit No. 0071-FY2021	Aug. 3, 2021
R 000443-000451	Aqua (Dr. Crockett) Presentation*	Oct. 29, 2021
R 000452-000470	Dr. Edwards Presentation*	Oct. 29, 2021
R 000471-000487	Aqua Final Optimal Corrosion Control Treatment Report**	Jan. 27, 2022
R 000488-000493	Aqua OCCT Evaluation of Treatment Alternatives Form	Feb. 14, 2022
R 000494	Aqua OCCT Recommendation Form	Feb. 14, 2022
R 000495-000500	Draft IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	June 2022
R 000501-000521	Summary Spreadsheet of University Park water quality data	Aug. 2021 - June 2022

R 000522-000580 Summary Spreadsheet of University Park lead compliance sampling results** July 1, 2019 – July 31, 2022

B. Court Order

PAGES	DOCUMENT	DATE
R 000581-000600	Agreed Interim Order	Nov. 1, 2019

C. Regulations

PAGES	DOCUMENT	DATE
--	35 Ill. Adm. Code Part 611, Subpart G***	--

* Petitioner has previously requested that such presentations be kept confidential. Upon receipt of Petitioner's written authorization, Respondent will file such presentations for inclusion on the public docket for this Permit Appeal.

**Addresses have been redacted.


***Respondent has not included a copy of these regulations, as they may be found on the Illinois Pollution Control Board's website.

VI. Privileged Material. Any inadvertent disclosure of any information or documents that are protected by the attorney-client privilege, the work product doctrine, or any other privilege, doctrine or legal theory protecting information from discovery is not to be deemed a waiver of any such privilege or protection.

VII. No Waiver. The filing of this Certificate of Record on Appeal and the Record on Appeal does not constitute a waiver of Respondent's pending Motion to Dismiss the Permit Appeal as to Additional Condition No. 6.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

I, David Cook, of the Illinois Environmental Protection Agency hereby certify that R 000001-000007, R 000008-000013, R 000014-000016, R 000017-000156, R 000157-000321, R 000322-000341, R 000342-000350, R 000351-000362, R 000363-000372, R 000373-000382, R 000383-000434, R 00435-000442, R 000443-000451, R 000452-000470, R 000471-000487, R 000488-000493, R 000494, R 000495-000500, R 000501-000521, R 000522-000580, and R 000581-000600 of the Record on Appeal filed in the above-referenced matter and summarized in the above Index of the Record on Appeal, is complete to the best of my knowledge, information, and belief.

BY:  _____
David Cook
Manager, Permit Section
Division of Public Water Supplies
Illinois Environmental Protection Agency

Signature Page to Certificate of Record on Appeal in Permit Appeal PCB 2023-012

EXHIBIT D

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 2nd day of September, 2022, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Respondent's Motion for Permission to File Amended Record on Appeal, a true and correct copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Ann Marie A. Hanohano
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
312.881.0556
annmarie.hanohano@ilag.gov

SERVICE LIST

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, IL 60605
Don.Brown@illinois.gov
(by *electronic filing*)

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
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Brad.Halloran@illinois.gov
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Daniel J. Deeb
Alex Garel-Frantzen
Sarah L. Lode
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233 South Wacker Drive, Suite 7100
Chicago, IL 60606
Dan.Deeb@afslaw.com
Alex.Garel-Frantzen@afslaw.com
Sarah.Lode@afslaw.com
Counsel for Aqua Illinois, Inc.
(via *e-mail*)

CERTIFICATE OF SERVICE

I, Ann Marie A. Hanohano, an Assistant Attorney General, hereby certify that on the 2nd day of September, 2022, I caused to be served the foregoing Notice of Electronic Filing and Respondent's Motion for Permission to File Amended Record on Appeal upon the parties named on the attached Service List, via e-mail or electronic filing as indicated.

/s/ Ann Marie A. Hanohano
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
312.881.0556
annmarie.hanohano@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

**RESPONDENT’S MOTION FOR PERMISSION TO FILE
AMENDED RECORD ON APPEAL**

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Respondent”), by and through the Attorney General of the State of Illinois, KWAME RAOUL, and pursuant to 35 Ill. Adm. Code 101.500(a),¹ hereby moves for permission to amend its Record on Appeal (the “Motion”). In support of this Motion, Respondent states as follows:

BACKGROUND

1. On June 29, 2022, Respondent issued a Special Exception Permit to Petitioner (the “2022 Permit”).
2. On July 8, 2022, Petitioner filed its Petition for Review of an Illinois Environmental Protection Agency’s Special Exception Permit Decision and Motion for Partial Stay, PCB 2023-12 (the “Permit Appeal”).
3. Pertinent to this Motion, in the Permit Appeal, Petitioner “requests that the Board remand the 2022 Permit to IEPA to require IEPA to omit” Additional Condition Nos. 4 and 5. (Permit Appeal at ¶ 44.)

¹ Section 101.500(a) of the Illinois Pollution Control Board’s (“Board”) Procedural Rules states, “[t]he Board may entertain any motion the parties wish to file that is permissible under the Act or other applicable law, this Part, or the Code of Civil Procedure.” 35 Ill. Adm. Code 101.500(a).

4. On August 2, 2022, Respondent filed its Motion to Dismiss the Permit Appeal as to Additional Condition No. 6 and Motion for Extension of Time to File the Record, which incorporated such motion to dismiss therein by reference.

5. As of the date of the filing of this Motion, Respondent's Motion to Dismiss the Permit Appeal as to Additional Condition No. 6 remains pending.

6. In the August 19, 2022 Order, the deadline for the filing of the Record was extended to August 26, 2022.

7. On August 26, 2022, Respondent timely filed its Certificate of Record on Appeal and Record on Appeal ("Record").

8. On August 30, 2022, Respondent issued a Special Exception Permit, through which Respondent set optimal water quality parameter (OWQP) ranges, and Additional Condition Nos. 4 and 5 in the 2022 Permit thereby expired.

9. On August 31, 2022, Respondent filed its Motion to Dismiss the Permit Appeal as to Additional Condition Nos. 4 and 5 as Moot ("Motion to Dismiss"), which is incorporated herein by reference.

10. Because the Permit Appeal as to Additional Condition Nos. 4 and 5 is moot, the Record must be amended to reflect only the applicable documents relating to the sole remaining condition on appeal.

11. Respondent has prepared an Amended Certificate of Record on Appeal and Amended Record on Appeal, a true and correct copy of which is attached hereto as Exhibit A and Exhibit B, respectively.

WHEREFORE, Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, respectfully requests that the Board or the hearing officer grant it permission to amend

its Record on Appeal, as set forth herein, and such other relief as the Board or the hearing officer deems appropriate.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Ann Marie A. Hanohano

Kathryn A. Pamenter
Senior Assistant Attorney General
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
773.590.7824
312.881.0556
Kathryn.Pamenter@ilag.gov
AnnMarie.Hanohano@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

**RESPONDENT'S MOTION FOR PERMISSION TO FILE
AMENDED RECORD ON APPEAL**

EXHIBIT A

AMENDED CERTIFICATE OF RECORD ON APPEAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)
)
 Petitioner,)
)
 v.) PCB 2023-012
) (Permit Appeal-Public Water Supply)
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

CERTIFICATE OF AMENDED RECORD ON APPEAL

Pursuant to 35 Ill. Adm. Code 105.116 and 105.212, the following constitutes an index of documents comprising the Amended Record on Appeal:²

Category I: Any permit application or other request that resulted in the Agency's final decision:

PAGES	DOCUMENT	DATE
R 000001-000007	Aqua request for Supplemental Permit	Mar. 24, 2022
R 000008-000013	Aqua request for Special Exception Permit	Mar. 28, 2022

Category II: Correspondence with the petitioner and any documents or materials submitted by the petitioner to the Agency related to the permit application:

² On August 8, 2022, Respondent filed a Motion to Dismiss Petitioner's Permit Appeal as to Additional Condition No. 3; and subsequently, on August 12, 2022, Petitioner filed a Motion to Voluntarily Withdraw Petition for Review as to Additional Condition No. 3. Accordingly, Respondent did not include documents concerning Additional Condition No. 3 in its Amended Record on Appeal.

On August 31, 2022, Respondent filed a Motion to Dismiss Petitioner's Permit Appeal as to Additional Condition Nos. 4 and 5 as moot. Accordingly, Respondent did not include documents concerning Additional Condition Nos. 4 and 5 in its Amended Record on Appeal.

None.

Category III: The permit denial letter that conforms to the requirements of Section 39(a) of the Act or the issued permit or other Agency final decision:

PAGES	DOCUMENT	DATE
R 000014-000016	IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	Jun. 29, 2022

Category IV: The hearing file of any hearing that may have been held before the Agency, including any transcripts and exhibits:

None.

Category V: Any other information the Agency relied upon in making its final decision:

A. Miscellaneous

PAGES	DOCUMENT	DATE
R 000017-000156	USEPA Guidance Document - Optimal Corrosion Control Treatment Evaluation Technical Recommendations for Primacy Agencies and Public Water Systems	Mar. 2016
R 000157-000177	Summary Spreadsheet of University Park water quality data	Aug., 2021 – Jun., 2022
R 000178-000236	Summary Spreadsheet of University Park lead compliance sampling results*	Jul. 1, 2021 – Jun. 29, 2022

B. Court Order

PAGES	DOCUMENT	DATE
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R 000237-000256 Agreed Interim Order

Nov. 1, 2019

C. Regulations

PAGES	DOCUMENT	DATE
--	35 Ill. Adm. Code Part 611, Subpart G**	--

*Addresses and irrelevant date ranges have been redacted.

**Respondent has not included a copy of these regulations, as they may be found on the Illinois Pollution Control Board's website.

VI. Privileged Material. Any inadvertent disclosure of any information or documents that are protected by the attorney-client privilege, the work product doctrine, or any other privilege, doctrine or legal theory protecting information from discovery is not to be deemed a waiver of any such privilege or protection.

VII. No Waiver. The filing of this Certificate of Amended Record on Appeal and the Amended Record on Appeal does not constitute a waiver of Respondent's pending Motion to Dismiss the Permit Appeal as to Additional Condition No. 6.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

I, David Cook, of the Illinois Environmental Protection Agency hereby certify that R 000001-000256 of the Amended Record on Appeal filed in the above-referenced matter and summarized in the above Index of the Amended Record on Appeal, is complete to the best of my knowledge, information, and belief.

BY:



David Cook
Manager, Permit Section
Division of Public Water Supplies
Illinois Environmental Protection Agency

Signature Page to Certificate of Amended Record on Appeal in Permit Appeal PCB 2023-012

EXHIBIT E

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)
)
Petitioner,)
)

vs.) No. PCB 2023-012
) (Permit Appeal-Water)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

TRANSCRIPT OF ZOOM TELECONFERENCE PROCEEDINGS
had in the above-entitled cause on the 19th day of
September, A.D. 2022, at 1:00 o'clock p.m.

1 REMOTE APPEARANCES:

2 ARENTFOX SCHIFF, LLP
3 233 South Wacker Drive
4 Suite 7100
5 Chicago, Illinois 60606
6 312-258-5500

7 BY: MR. ALEX GAREL-FRANTZEN
8 alex.garel-frantzen@afslaw.com

9
10 appeared on behalf of the Petitioner;

11 OFFICE OF THE ILLINOIS ATTORNEY GENERAL
12 69 West Washington Street
13 Chicago, Illinois 60602
14 773-590-7824

15 BY: MS. KATHRYN A. PAMENTER
16 kathryn.pamenter@ilag.gov

17
18 appeared on behalf of the Respondent.

19
20 ALSO PRESENT: JERRY CURRAN - THE CONCIERGE
21 ANNE MARIE HANOHANO
22 AMANDA KIMMEL

23 REPORTED BY: TRUDY G. GORDON, C.S.R.

24 CERTIFICATE NO. 084-004077

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I N D E X

WITNESS	PAGE
DAVID COOK	
EXAMINATION BY MR. GAREL-FRANTZEN.....	8

E X H I B I T S

DEPOSITION EXHIBITS	DESCRIPTION	PAGE
EXHIBIT A	RESPONDENT'S MOTION FOR AMENDED RECORD ON APPEAL	4
EXHIBIT B	RESPONDENT'S MOTION FOR AMENDED RECORD ON APPEAL	4
EXHIBIT NO. 1	ADMINISTRATIVE RECORD	17

1 But we hadn't seen high results.

2 BY MR. GAREL-FRANTZEN:

3 Q. So you are not aware of -- Are you aware
4 of the ranges that would be required in order to
5 evaluate the impact of nitrate variability on lead in
6 the UP System?

7 MS. PAMENTER: Objection. Calls for a legal
8 conclusion.

9 You may answer if you can.

10 BY THE WITNESS:

11 A. Well, I mean the maximum containment level
12 for nitrate is 10. So the -- You know, there would
13 have to be sufficient variability in nitrate based
14 upon historic values. There would have to be enough
15 data at the upper range based on historic values to
16 do that evaluation.

17 BY MR. GAREL-FRANTZEN:

18 Q. An upper range -- By what do you mean
19 upper range?

20 MS. PAMENTER: Objection. Calls for a legal
21 conclusion. Just continuing the same objection of
22 earlier.

23 You may answer if you can.

24

1 BY THE WITNESS:

2 A. What -- The upper range being what has
3 historically been in the finished water leaving the
4 water plant at Kankakee, and -- And I don't have that
5 information in front of me.

6 BY MR. GAREL-FRANTZEN:

7 Q. What information would you need to have in
8 front of you --

9 MS. PAMENTER: Objection --

10 BY THE WITNESS:

11 A. There --

12 MS. PAMENTER: I'm sorry. I did not mean to
13 interrupt the questioner. I thought you had
14 finished. If you would restate your question, then
15 I'm happy to state by objection before the witness
16 answers again. Again, I didn't want to be
17 interrupting. I thought you had finished.

18 MR. GAREL-FRANTZEN: Trudy, would you repeat the
19 question.

20 (WHEREUPON, THE RECORD WAS READ
21 AS REQUESTED.)

22 MS. PAMENTER: Objection. Outside the scope of
23 the Permit Appeal, and relevance.

24 You may answer if you can.

1 monitoring stations upstream of Kankakee's Water
2 Treatment Plant to sources that have data results.

3 BY MR. GAREL-FRANTZEN:

4 Q. And when you referred to the variability
5 that you would expect in the sampling results for the
6 Aqua UP System as to nitrate levels, what is that
7 variability that you would expect?

8 MS. PAMENTER: Objection. Calls for
9 speculation. Objection. Outside the scope of the
10 Permit Appeal.

11 You may answer if you can.

12 BY THE WITNESS:

13 A. The variability that I would expect would
14 be primarily based on the range of data that Aqua has
15 given to us from their monitoring. Because the
16 Bureau's monitoring station were -- were far enough
17 upstream that Aqua's data would be preferred.

18 BY MR. GAREL-FRANTZEN:

19 Q. And so what is that variability from the
20 Aqua historical data that you would expect?

21 A. I don't --

22 MS. PAMENTER: Objection. Outside of the scope
23 of the Permit Appeal.

24 You may answer if you can.

1 BY THE WITNESS:

2 A. I don't recall. I didn't review that data
3 before this deposition.

4 BY MR. GAREL-FRANTZEN:

5 Q. And do you have an understanding as to
6 whether additional Condition No. 5 has since expired?

7 And this is in regards to additional
8 Condition 5 of the 2022 Permit.

9 A. Yes, additional Condition 5 has expired
10 since the Agency set water --

11 THE REPORTER: I'm sorry. I didn't hear the
12 last part of your answer.

13 BY THE WITNESS:

14 A. Since the Agency has set OWQP ranges.

15 MR. GAREL-FRANTZEN: Jerry, could we please go
16 to R000016.

17 THE CONCIERGE: Stand by, 16.

18 BY MR. GAREL-FRANTZEN:

19 Q. Mr. Cook, please take a -- please take
20 time to review additional Condition 6 as well as the
21 paragraph underneath it.

22 A. (Witness looking at document.) Okay.

23 Q. Who drafted additional Condition 6?

24 A. I did.

1 BY THE WITNESS:

2 A. I did not review that data, and I don't
3 have an answer for that.

4 BY MR. GAREL-FRANTZEN:

5 Q. Does someone at the Agency have an answer
6 as to the historical levels that would be expected to
7 be observed in the UP System of nitrate?

8 MS. PAMENTER: Objection as to form.

9 You may answer to the extent you know.

10 BY THE WITNESS:

11 A. I could answer if -- if we reviewed the
12 data again.

13 BY MR. GAREL-FRANTZEN:

14 Q. And what data would you need to review?

15 MS. PAMENTER: Objection to the -- Strike that.

16 Go ahead. You may answer.

17 BY THE WITNESS:

18 A. I believe Aqua has given us some data,
19 historical data, and that would be the primary
20 reference point.

21 BY MR. GAREL-FRANTZEN:

22 Q. As you sit here today, do you believe that
23 monthly lead sampling monitoring is necessary at the
24 Aqua UP System?

EXHIBIT F

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)	
)	
Petitioner,)	
)	
v.	)	PCB 2023-012
	)	(Permit Appeal - Public Water Supply)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: *See Attached Service List*

PLEASE TAKE NOTICE that on the 23rd day of September, 2022, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the attached Certificate of Record on Appeal Filed on 9.23.22 and Record on Appeal Filed on 9.23.22, a true and correct copy of which is attached hereto and hereby served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

/s/ Kathryn A. Pamenter
Christopher J. Grant
Kathryn A. Pamenter
Senior Assistant Attorneys General
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
773.590.7824
Kathryn.pamenter@ilag.gov

SERVICE LIST

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Illinois Pollution Control Board
60 E. Van Buren St., Suite 630
Chicago, IL 60605
Don.Brown@illinois.gov
(by *electronic filing*)

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
Brad.Halloran@illinois.gov
(via *email*)

Daniel J. Deeb
Alex Garel-Frantzen
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ARENTFOX SCHIFF LLP
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Chicago, IL 60606
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Alex.Garel-Frantzen@afslaw.com
Sarah.Lode@afslaw.com
Counsel for Aqua Illinois, Inc.
(via *e-mail*)

CERTIFICATE OF SERVICE

I, Kathryn A. Pamenter, a Senior Assistant Attorney General, hereby certify that on the 23rd day of September, 2022, I caused to be served the foregoing Notice of Electronic Filing, Certificate of Record on Appeal Filed on 9.23.22 and Record on Appeal Filed on 9.23.22 upon the parties named on the attached Service List, via e-mail or electronic filing as indicated.

/s/ Kathryn A. Pamenter
Christopher J. Grant
Kathryn A. Pamenter
Senior Assistant Attorneys General
Ann Marie A. Hanohano
Assistant Attorney General
Environmental Bureau
Office of the Illinois Attorney General
69 W. Washington Street, 18th Floor
Chicago, IL 60602
773.590.7824
Kathryn.pamenter@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC.,)
)
 Petitioner,)
)
 v.) PCB 2023-012
) (Permit Appeal-Public Water Supply)
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

CERTIFICATE OF RECORD ON APPEAL FILED ON 9.23.22

Pursuant to 35 Ill. Adm. Code 105.116 and 105.212, the following constitutes an index of documents comprising the Record on Appeal Filed on 9.23.22:

Category I: Any permit application or other request that resulted in the Agency's final decision:

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R 000008-000013	Aqua request for Special Exception Permit	Mar. 28, 2022

Category II: Correspondence with the petitioner and any documents or materials submitted by the petitioner to the Agency related to the permit application:

None.

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PAGES	DOCUMENT	DATE
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Category IV: The hearing file of any hearing that may have been held before the Agency, including any transcripts and exhibits:

None.

Category V: Any other information the Agency relied upon in making its final decision:

A. Miscellaneous

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R 000363-000372	Dr. Edwards Presentation*, **	July 14, 2021
R 000373-000382	Aqua Chemical Change Description**	July 15, 2021
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R 000443-000451	Aqua (Dr. Crockett) Presentation*	Oct. 29, 2021
R 000452-000470	Dr. Edwards Presentation*, **	Oct. 29, 2021
R 000471-000487	Aqua Final Optimal Corrosion Control Treatment Report**	Jan. 27, 2022
R 000488-000493	Aqua OCCT Evaluation of Treatment Alternatives Form	Feb. 14, 2022
R 000494	Aqua OCCT Recommendation Form	Feb. 14, 2022
R 000495-000500	Draft IEPA Special Exception Permit to modify IEPA Permit No. 0071-FY2021	June 2022
R 000501-000521	Summary Spreadsheet of University Park water quality data	Aug. 2021 - June 2022
R 000522-000580	Summary Spreadsheet of University Park lead compliance sampling results**	July 1, 2019 – June 29, 2022

R 000581-000600	Email from David Cook dated November 5, 2021 with Kankakee and Iroquois River nitrate data and related emails	Various
R 000601	Kankakee WTP TP01 Nitrate	Apr. 2000 – Apr. 2021

B. Court Order

PAGES	DOCUMENT	DATE
R 000602-000621	Agreed Interim Order	Nov. 1, 2019

C. Regulations

PAGES	DOCUMENT	DATE
--	35 Ill. Adm. Code Part 611, Subpart G***	--
--	35 Ill. Adm. Code 601.101***	

* Petitioner previously requested that such presentations be kept confidential. On September 19 and 20, 2022, respectively, Petitioner gave its written authorization to make such presentations public.

**Addresses have been redacted.

***Respondent has not included a copy of these regulations, as they may be found on the Illinois Pollution Control Board's website.

VI. Privileged Material. Any inadvertent disclosure of any information or documents that are protected by the attorney-client privilege, the work product doctrine, or any other privilege, doctrine or legal theory protecting information from discovery is not to be deemed a waiver of any such privilege or protection.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

I, David Cook, of the Illinois Environmental Protection Agency hereby certify that the documents contained in the Record on Appeal filed on 9.23.22 in the above-referenced matter and summarized in the above index, is complete to the best of my knowledge, information, and belief.

BY:  _____

David Cook
Manager, Permit Section
Division of Public Water Supplies
Illinois Environmental Protection Agency

EXHIBIT 2

1 APPEARANCES:

2
3 ARENT FOX SCHIFF, LLP

4 BY: MR. DANIEL J. DEEB

5 MR. ALEX GAREL-FRANTZEN

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10 dan.deeb@afslaw.com

11 On behalf of the Petitioner;

12
13 OFFICE OF THE ATTORNEY GENERAL

14 BY: MS. KATHRYN PAMENTER

15 MS. ANN MARIE HANOHANO

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17 Suite 1800

18 Chicago, Illinois 60602

19 (312) 814-0608

20 kpamenter@atg.state.il.us

21 On behalf of the Respondent.

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ALSO PRESENT:

MS. ESSENCE BROWN, IPCB Scientist

MS. CHLOE SALK, IPCB Staff Attorney

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I N D E X

WITNESS

EXAMINATION

DAVID COOK

By Ms. Pamenter

17

By Mr. Cook

82

1 you may recall an order was entered on
2 September 19, 2022, that required the respondent to
3 submit all the documents even those relating to
4 additional conditions that had been withdrawn in
5 pleadings by the petitioner.

6 HEARING OFFICER HALLORAN: Well, yeah, I did
7 based on the procedural rules.

8 MS. PAMENTER: Understood.

9 HEARING OFFICER HALLORAN: Proceed.

10 MS. PAMENTER: Thereafter, on September 21,
11 2022, Mr. Cook's deposition took place, and during
12 that deposition questions were asked by the
13 petitioner that elicited the information with
14 respect to the nitrate data. We felt that if we
15 had excluded those from the record, that we were
16 required to file in September 23, 2022. We submit
17 that we may be here on a motion to have them
18 included, and as such we did, in fact, include them
19 in the record in support -- in accordance with the
20 September 19 order and as a result of the
21 questioning during the depositions that occurred.

22 At this time we do not know if we will
23 need to even utilize those documents until we hear
24 what the case in chief is that is presented, and as

1 such we would reserve the ability to ask questions
2 depending upon what case in chief is presented.
3 But at this point in time we do not intend to
4 utilize those documents should we have to call a
5 witness in this matter.

6 HEARING OFFICER HALLORAN: Mr. Deeb, any
7 rebuttal?

8 MR. DEEB: The record that was submitted in
9 August as to Condition 6 should have included those
10 documents if they were, in fact, the basis for the
11 permit decision, and to us it is as simple as that.
12 To attempt to provide them in the record as to
13 additional Condition 6 at this late date is simply
14 inappropriate.

15 However, you know, if they're not
16 objecting, I'm not sure exactly what -- well, I'm
17 not sure where that leaves us. Our case in chief
18 will be presented and the posthearing briefs. We
19 do not intend to call any witnesses today.

20 HEARING OFFICER HALLORAN: Thank you, Mr. Deeb.

21 I'm gonna deny the motion in limine. And
22 if you really don't like my decision, you can
23 appeal that, too, with the Board, and we'll take it
24 with the case. And, I mean, if it was, I think,

1 that imperative, I think we could have filed
2 another extension of the waiver decision deadline
3 and possibly kicked the hearing out farther.

4 In any event, the motion is denied. I'm
5 gonna give Aqua -- it's your case in chief. I
6 think you've just explained what's gonna happen.
7 Could you explain again for the record? Any
8 opening, an outline or just you're gonna rest and
9 submit your arguments in the posthearing brief?

10 MR. DEEB: Thank you, Hearing Officer. I don't
11 believe that any background is necessary. As you
12 know, the Board has considered recently the motion
13 to dismiss as to additional Condition 6, and,
14 therefore, I think is well familiar with the
15 background and the arguments at issue.

16 In large part, because of the basis of
17 that motion to dismiss decision that was issued
18 last week, we decided that it is not necessary to
19 call any witnesses. And, therefore, we will not
20 present any evidence today and will simply proceed
21 to posthearing briefly.

22 HEARING OFFICER HALLORAN: All right. Thank
23 you. So you rest your case.

24 Miss Pamenter?

1 A. Yes.

2 Q. How long does Illinois EPA have to respond
3 to a request like those set forth in the March 24
4 and March 28, 2022, letters?

5 A. 90 days.

6 Q. Does Aqua set forth in the March 24 and
7 March 28 letters the same background and
8 justification for its request that the monthly
9 compliance sampling requirement in the July 2021
10 construction permit be eliminated as of the end of
11 March 2022?

12 A. Yes.

13 Q. So let's talk about those justifications.
14 The first one can be found in a couple of places,
15 for the record, Page R1 in the first paragraph, R3
16 in the first paragraph, R8 in the first paragraph
17 and R9 in the first paragraph. There's a sentence
18 that reads, quote, circumstances have changed, and
19 the UP water system now meets the lead action level
20 as of the July through December 2021 compliance
21 monitoring period.

22 Do you see that reference on those pages?

23 A. Yes.

24 Q. Was that a sufficient justification to

1 grant Aqua's request to eliminate the monthly
2 compliance sampling requirement?

3 A. No.

4 Q. Why?

5 A. Because in order to ensure that the water
6 is assuredly safe, the theory with nitrate levels
7 affecting lead -- nitrate concentrations affecting
8 lead levels had to be tested.

9 Q. As of this time period at the end of March
10 of 2022, had Aqua previously selected a corrosion
11 control treatment, then had one six-month
12 compliance sampling period below the lead action
13 level, and then had a lead action level exceedance
14 in the next consecutive six-month sampling period?

15 A. Could you repeat the question?

16 Q. Sure.

17 As of March of 2022, had Aqua previously
18 selected a corrosion control treatment, then had
19 one six-month compliance sampling period below the
20 lead action level, and then had a lead action level
21 exceedance in the next six-month compliance
22 sampling period?

23 A. Yeah. Yes.

24 Q. Going back to the letters that start on R1

1 and R8, and again I'm gonna -- the same pages that
2 I referenced earlier, it appears that there is an
3 additional justification, though in slightly
4 different wording on those pages, that generally
5 provides on February 15, 2022, Aqua Illinois
6 submitted its final, excuse me, final optimal
7 corrosion control treatment recommendation of zinc
8 orthophosphate.

9 Do you see that?

10 A. Yes.

11 Q. Now, just to clarify the record, in a
12 couple of those places there's a reference to an
13 Exhibit A, excuse me, an Attachment A. Do you see
14 that reference to an Attachment A?

15 I can give you a particular example.

16 A. Okay.

17 Q. So on Page R8 at the end of the first
18 paragraph, it says the final OCCT recommendation is
19 included as Attachment A.

20 Do you see that reference?

21 A. Yes.

22 Q. Okay. And just for the record, if you
23 would, can you turn to R000471, please, and let me
24 know when you're there?

1 A. Okay.

2 Q. Is this the final optimal corrosion
3 control treatment recommendation? It continues, I
4 should say, R488 and R495, excuse me, R494, if you
5 want to check those pages as well.

6 Is this the corrosion control -- final
7 corrosion control treatment recommendation that's
8 referred to in the March 24 and March 28 letters?

9 A. Yes.

10 Q. Okay. So just to go back, as an
11 additional justification Aqua indicates that it
12 submitted its final optimal corrosion control
13 treatment on February 15, 2022, to the Illinois EPA
14 identifying zinc orthophosphate as the optimal
15 treatment.

16 Was that a sufficient justification to
17 grant Aqua's request to eliminate the monthly
18 sampling requirement?

19 A. No.

20 Q. Why?

21 A. Again, Aqua had to show that the water was
22 assuredly safe by testing during periods when
23 nitrate was high to see the effect on lead levels.

24 Q. And just to clarify, you've used the

1 phrase assuredly safe. Is there a particular
2 regulation that corresponds to that phrase?

3 A. Yes. It's Title 35, Illinois
4 Administrative Code Section 601.101.

5 Q. Let's go back to Aqua's March 24 and
6 March 28 letters, and if you would please look at
7 R4 and Pages R4 and R10, please.

8 A. Okay.

9 Q. On those -- starting on those two pages,
10 Aqua lists seven additional justifications for
11 granting its request to eliminate the monthly
12 compliance sampling requirement. And if you need
13 to flip, you know, pages, there's a Number 1
14 through 7 that are set forth thereafter.

15 Do you see those?

16 A. Yes.

17 Q. Did you review those prior to today?

18 A. Yes.

19 Q. Did you review them prior to June 29,
20 2022, the date of the issuance of the special
21 exception permit at issue in this appeal?

22 A. Yes.

23 Q. In general, were those sufficient
24 justifications to grant Aqua's request to eliminate

1 the monthly compliance sampling requirement?

2 A. No.

3 Q. Okay. Let's walk through those. We've
4 already spoken about number one briefly. Let's
5 turn to -- and I should say, when we were
6 discussing the sentence that reads, circumstances
7 have changed and the UP water system now meets the
8 lead action level as of the July to December 2021
9 compliance monitoring period, that corresponds to
10 that earlier testimony.

11 So turning to number two, and please if
12 you need to, take a moment to review it, but was
13 number two set forth on Pages R4 and R10 a
14 sufficient justification to grant Aqua's request to
15 eliminate the monthly sampling requirement?

16 A. No.

17 Q. Why not?

18 A. Because to show the water's assuredly
19 safe, Aqua needs to monitor during periods of high
20 nitrate in the water to see the effect on lead
21 levels.

22 Q. On Pages R4 and then R10 through 11 you'll
23 see a reference to a number three for their
24 justifications. Do you see those references?

1 A. Yes.

2 Q. Was number three a sufficient
3 justification to eliminate the monthly compliance
4 sampling requirement?

5 A. No.

6 Q. Why not?

7 A. In order to show the water's assuredly
8 safe, Aqua needs to monitor for lead during periods
9 of high nitrate.

10 Q. Now, on the top of Page R5 and 11 there's
11 a reference to a table, 611.Table D.

12 Do you see those two charts?

13 A. Yes.

14 Q. Are they the same on each of those pages?

15 A. Yes.

16 Q. Okay. Now, on this chart there's a
17 reference -- there's a column that sets forth
18 system size.

19 Do you see that?

20 A. Yes.

21 Q. And are you familiar with the system size
22 that relates to Aqua's University Park public water
23 system?

24 A. Approximately, yes.

1 Q. So would it -- which range as set forth in
2 the first column would Aqua's University Park
3 public water system fall within?

4 A. Their population's between 3,301 to
5 10,000.

6 Q. The second column then sets forth what?

7 A. The number of lead and copper monitoring
8 sites.

9 Q. So for Aqua's University Park public water
10 system, how many sampling sites are set forth?

11 A. For standard monitoring it would be
12 40 sample sites.

13 Q. Okay. If we look on Pages R5 and R11,
14 there is a fourth justification that Aqua set forth
15 for its request to eliminate the monthly compliance
16 sampling requirement.

17 Do you see those references?

18 A. Yes.

19 Q. Was the fourth justification sufficient
20 for the Illinois EPA to eliminate the monthly
21 compliance sampling requirement?

22 And if you need to, please take some time
23 to review it.

24 A. No.

1 **Q. Why not?**

2 A. In order to ensure the water's assuredly
3 safe, we need Aqua to monitor during periods of
4 high nitrates.

5 **Q. Just to finish out these justifications,**
6 **R5 and R12, there is a fifth justification set**
7 **forth. Was that a sufficient justification for**
8 **Illinois EPA to eliminate the monthly compliance**
9 **sampling requirement?**

10 A. No.

11 **Q. Why not?**

12 A. In order to ensure the water's assuredly
13 safe, we need Aqua to monitor for lead during
14 periods of high nitrate.

15 **Q. Taking a look again at Pages R8, excuse**
16 **me, R6 and R12, there's a sixth justification set**
17 **forth on those pages. Was that a sufficient**
18 **justification to eliminate the monthly compliance**
19 **sampling requirement?**

20 A. No.

21 **Q. Why not?**

22 A. In order to ensure the water's assuredly
23 safe, we need Aqua to monitor for lead during
24 periods of high nitrate.