BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF FRANKFORT, IL,	)	
	)	
Petitioner,	)	**PCB NO. 2026-048**
	)	**(Time-Limited Water Quality**
v.	)	**Standard – Water)**
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

To: See attached Service List.

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board ILLINOIS EPA'S RECOMMENDATION, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Dated: September 8, 2026

By: /s/ Sara G. Terranova
Assistant Counsel
Division of Legal Counsel
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Electronic Filing: Received, Clerk's Office 09/08/2026

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	)	
Respondent.	)	

ILLINOIS EPA'S RECOMMENDATION

NOW COMES the Illinois Environmental Protection Agency (Illinois EPA or Agency), by and through one of its attorneys, and pursuant to 35 Ill. Adm. Code 104, Subpart E, submits its Recommendation in response to the Petition for Time-Limited Water Quality Standard (TLWQS) for Chlorides (Petition). The Agency recommends that the Illinois Pollution Control Board (Board) adopt the requested chloride time-limited water quality standard, subject to the conditions set forth herein.

PROCEDURAL BACKGROUND

On March 13, 2026, the Village of Frankfort (Petitioner) filed a petition for a time-limited water quality standard. Petitioner seeks relief from the total chloride standard in 35 Ill. Adm. Code 302.407(g)[1] for discharges from Outfall 001 of its Regional Wastewater Treatment Plant (Regional Plant) to Hickory Creek from April through November. *See* Petition for Time-Limited Water Quality Standard for Chlorides, PCB 26-48 (Mar. 13, 2026).

[1] The Petition identifies 35 Ill. Adm. Code 302.407(g) as the applicable chloride standard. The Agency cites that provision here solely to describe the relief requested by the Petitioner. As discussed below under "Petitioner's Requested Relief," the Agency believes the applicable chloride standard for Hickory Creek is set forth in 35 Ill. Adm. Code 302.208(g).

On March 26, 2026, pursuant to 35 Ill. Adm. Code 104.535, the Illinois EPA timely filed its response with the Board, identifying the Regional Plant, operating under NPDES Permit No. IL0072192, as the only affected discharger; Hickory Creek as the receiving water; and a single-discharger TLWQS for chloride as the appropriate type of TLWQS. *See* Illinois Environmental Protection Agency Response, PCB 26-48 (Mar. 26, 2026).

On April 16, 2026, pursuant to 35 Ill. Adm. Code 104.540, the Board identified the Regional Plant as the only discharger covered by the requested TLWQS and Hickory Creek, Segment IL_GG-06, as the receiving water to which the TLWQS would apply. *See* PCB 26-48 at 2 (Apr. 16, 2026).

On July 23, 2026, pursuant to 35 Ill. Adm. Code 104.545, the Board determined that the Petition was in substantial compliance. *See* PCB 26-48 at 4 (July 23, 2026).

Pursuant to 35 Ill. Adm. Code 104.550(a) and the Board's July 23, 2026 Order, the Agency's Recommendation is due September 8, 2026. The Agency timely files this Recommendation on September 8, 2026.

Concurrently with filing this Recommendation, the Agency transmits a copy of the Recommendation and the Petition to U.S. EPA pursuant to 35 Ill. Adm. Code 104.550(d).

PETITIONER'S REQUESTED RELIEF

The Petitioner seeks a single-discharger TLWQS from the total chloride standard identified in the Petition as 35 Ill. Adm. Code 302.407(g)[2] for discharges from Outfall 001 of its Regional Wastewater Treatment Plant to Hickory Creek from April through November. The Regional Plant operates under NPDES Permit No. IL0072192.

[2] The Agency cites Section 302.407(g) here solely to describe the relief requested in the Petition. As discussed below, the Agency believes the applicable chloride standard for Hickory Creek is set forth in 35 Ill. Adm. Code 302.208(g).

The Board established the chloride water quality standard at issue here pursuant to Section 303(c)(2)(A) of the federal Clean Water Act (CWA), which requires that water quality standards adopted or revised by states include designated uses and water quality criteria based on those uses. *See* 33 U.S.C. § 1313(c)(2)(A). Water quality criteria "represent the condition (e.g. concentrations of particular chemicals, levels of certain parameters) sufficient to restore and maintain the chemical, physical, and biological integrity of the water bodies and protect applicable designated uses." *See* ; EPA Water Quality Standards Handbook Chapter 3 Criteria at PDF page 7, EPA-823-B-17-001 (2017).

The chloride water quality standard applicable to the Regional Plant's discharge is 500 milligrams per liter (mg/L), as set forth in 35 Ill. Adm Code 302.208(g). The Regional Plant discharges to Hickory Creek, a General Use Water subject to Section 302.208(g). *See* 35 Ill. Adm. Code 303.201; Village of Homewood, et al., PCB 16-14 (consol.), slip op. at 80, Table 1 (Nov. 4, 2021). Although the prior watershed-wide TLWQS addressed the chloride standards in both Sections 302.208(g) and 302.407(g)(3), Section 302.208(g) was the underlying chloride standard applicable to Hickory Creek and the Regional Plant's discharge. Accordingly, the relief sought in this proceeding is properly from Section 302.208(g).

Additionally, it should be noted that the Regional Plant currently has relief from the 35 Ill. Adm. Code 302.208(g) chloride water quality standard from December through March as per Special Condition 26 of its NPDES Permit No. IL0072192. The relief is part of the Chloride Time-Limited Water Quality Standard (TLWQS) (PCB 2019-029, consolidating Case # PCB 2016-014).

The CWA and regulations adopted thereunder by the United States Environmental Protection Agency (U.S. EPA) allow for variances from a water quality standard for a limited period of time. *See* 40 CFR §131.14. A water quality standards variance is defined as a "time-

limited designated use and criterion for a specific pollutant(s) or water quality parameter(s) that reflect the highest attainable condition during the term of the WQS variance." *See* 40 CFR §131.3(o). In Illinois, water quality standards variances are called TLWQS. *See* 415 ILCS 5/3.488. To obtain U.S. EPA approval, the State must demonstrate, among other things, that attaining the designated use and criterion is not feasible throughout the term of the water quality standards variance because of one of the factors listed in 40 CFR §131.10(g) (10(g) factors). *See* 40 CFR §131.14(b)(2)(i)(A)(1).

In this case, the Petitioner seeks a five-year TLWQS for chloride. *See* Petition at I.E.2. In support, the Petitioner claims the 500 mg/L chloride water quality standard is not feasible because two 10(g) factors apply:

> Factor 3: Human caused conditions or sources of pollution prevent the attainment of the designated use and cannot be remedied or would cause more environmental damage to correct than to leave in place.
>
> Factor 6: Widespread economic and social impact would result from controls more stringent than those required by the CWA Section 301(b) and 306.

See Petition at I.C.2; 35 Ill. Adm. Code 104.560(a)(3), (6); 40 CFR §131.10(g)(3),(6).

During the term of the TLWQS, the Petitioner proposes the highest attainable condition (HAC) as an interim criterion consisting of a 12-month rolling geometric mean total chloride concentration of 582 mg/L during April through November, and a daily maximum chloride concentration of 612 mg/L. *See* Petition at I.E.2. The proposed HAC is based primarily on recent historical effluent chloride concentration under existing pollutant reduction efforts. *See* Petition at I.E.1. Thus, the Petition argues that the effluent condition reflecting the greatest pollution reduction achievable is the current effluent condition, while acknowledging that additional outreach and source reduction activities may further reduce chloride loadings. *See* Petition at I.E.1; I.E.2.

AGENCY'S RECOMMENDATION

Pursuant to 35 Ill. Adm. Code 104.550(b), the Agency's Recommendation must, at a minimum, analyze whether the Petitioner made the demonstration required under Section 104.560, including its proposed highest attainable condition. The Agency must also analyze whether the proposed TLWQS is consistent with applicable federal laws and regulations and satisfies Section 38.5 of the Illinois Environmental Protection Act and Part 104. When applicable, the Agency must also analyze the eligibility criteria for obtaining coverage under the TLWQS. The Recommendation must further include information relevant to the disposition of the Petition, including any past or pending enforcement actions against the Petitioner; the Agency's position on whether the Board should adopt, adopt with conditions, or deny the requested TLWQS; the recommended term; and a list of persons seeking coverage at the time of adoption. The Agency addresses each of these requirements below.

I. Petitioner's Demonstration Under Section 104.560

10(g) Factors Analysis

The Village of Frankfort requests a five-year TLWQS for total chloride applicable during the months April through November. *See* Petition at I.E.2. The Village currently operates under a seasonal TLWQS for total chloride (PCB 19-29) applicable during the winter months. The Village's potable water source is groundwater high in iron and hardness, with no system-wide softening, requiring individual water softeners for residential, commercial, and industrial use. *See* Petition at I.B.2. This use of individual water softeners results in chloride loading to the Regional Plant. The Petitioner asserts that human-caused conditions are the primary cause of elevated chlorides in Hickory Creek. *Id*. Effluent chloride concentrations exceeded the applicable 500 mg/L effluent limitation effective during April through November, on seven occasions during 2023 to

2025. *See* Petition at I.C.1. The Village anticipates future exceedances due to fluctuations in wastewater flow, regeneration cycles of individual water softeners, and varying user demand. *Id*.

The Petitioner claims that attainment of the designated use and chloride water quality standard is not feasible during the remainder of the year because of factor 3 (human caused conditions or sources of pollution that cannot be remedied or would cause more environmental damage to correct than to leave in place) and factor 6 (controls more stringent than those required by sections 301(b) and 306 of the CWA would result in a substantial and widespread negative economic and social impact on the public). *See* Petition at I.C.2.

The Petitioner argues chloride impairment is caused primarily by human-generated chloride sources that are outside the direct control of the Village, particularly chloride discharges associated with privately operated residential and commercial water softening systems. *Id*. The Village's Regional Plant is a passive receiver of these chloride loads. *Id*. Conventional wastewater treatment processes are not designed to remove chlorides, and chlorides pass through the treatment plant and are discharged to the receiving stream, Hickory Creek. Accordingly, the Petitioner claims an inability to achieve compliance through ordinary wastewater treatment improvements because the pollutant is not removed through the treatment process and is continuously introduced by individual utility customers. *Id*.

The Village evaluated multiple approaches to address this human-caused source of chloride loading, including system-wide water softening, reverse osmosis, wellhead treatment, and alternative water supplies. *Id*. However, the Petitioner asserts that the evidence demonstrates that these approaches are either infeasible, ineffective, or would create additional environmental impacts.

The Petitioner states that, even with the implementation of centralized softening or reverse osmosis treatment, individual customers would likely continue to utilize private water softeners and discharge chloride to the collection system. *Id*. Consequently, the Petitioner contends that such significant public expenditure would not fully eliminate the source of chloride loading. *See* Petition at I.C.2 and Exhibit 8. Similarly, residential softener replacement programs would require installation at approximately 11,599 customer locations at an estimated capital cost of approximately $38.3 million, would depend on voluntary customer participation, and would not provide assurance of effective chloride reduction. *Id*.

The Petitioner argues that the evaluated wastewater treatment alternatives would also create new environmental challenges. Reverse osmosis would generate concentrated chloride brine residuals requiring disposal. *Id*. The Village has identified no practical or environmentally acceptable disposal method for the chloride-laden residual streams. Alternatives, including deep-well injection, evaporation ponds, and zero-liquid-discharge systems, are either unavailable due to local conditions or economically impracticable. *Id*.

Notably, the Petition contains a technical error in its characterization of the residual streams associated with the evaluated potable source-water treatment alternatives (i.e., ion-exchange, lime softening, and reverse osmosis (RO)). Specifically, the Petition states that all three potable source-water treatment options would create concentrated briny, chloride-laden residual waste streams with no effective or practical method of treatment and disposal. *See* Petition at I.C.2. However, residuals generated by ion exchange, lime softening, and RO differ substantially in composition and should not be uniformly characterized as chloride-laden brines. Lime softening produces mineral solids (primarily calcium carbonate and magnesium hydroxide) and does not concentrate chloride. Ion exchange may generate chloride-bearing regenerant depending on resin type and

regeneration chemistry. Reverse osmosis does not create chloride; it concentrates constituents already present in the source water. Therefore, describing all three processes as producing concentrated chloride brine streams is not technically accurate. *See* Exhibit 7. Furthermore, because Frankfort's groundwater does not contain elevated chloride levels, the resulting RO concentrate would not be expected to represent any significant chloride-disposal concerns associated with ion-exchange regeneration. *See* Exhibit 3.

The Petition should clarify that the primary chloride-generation concern is associated with ion exchange softening, where sodium chloride is used during resin regeneration and results in a chloride-containing waste stream. Nevertheless, the economic argument is addressed later in this section.

Flow augmentation, while capable of reducing chloride concentrations through dilution, would not eliminate chloride loading and would require additional groundwater withdrawals. *See* Petition at I.C.2 and Exhibit 17. The Village estimates that flow augmentation would withdraw approximately 243,000 gallons per day from the local aquifer, further stressing a potable groundwater source already subject to regional depletion concerns. *Id*. The Village argues that correcting the chloride condition through increased groundwater withdrawals would create additional environmental harm by accelerating depletion of the Village's drinking water supply. *Id*.

The Village also presents evidence that achieving compliance with the chloride standard would impose substantial and widespread economic and social impacts on the Village and its utility customers under factor 6. *See* Petition at I.C.2. The Village evaluated multiple compliance alternatives and determined that all available approaches would require high capital expenditures, significant ongoing operational costs, and substantial increases to customer utility rates.

Estimated capital costs include approximately:

- $73.5 million for wellhead ion exchange [system-wide configuration][3];
- $81.49 million for centralized lime softening at a centralized treatment plant[4];
- $69.94 million for reverse osmosis at the Regional Plant;
- $73.16 million for wellhead reverse osmosis systems; and
- approximately $60 million for conversion to Lake Michigan water.

See Petition at I.C.2; Exhibit 8; Exhibit 12; Exhibit 14.

These costs would be compounded by significant annual operation and maintenance expenses, including estimated annual costs of approximately $793,000 for ion exchange, $3.54 million for centralized lime softening, and $2.18 million for wastewater treatment plant reverse osmosis. *See* Petition at I.C.2 and Exhibit 8. The Village further contends that these alternatives are not merely expensive but present substantial implementation barriers. The Regional Plant lacks sufficient available space for additional treatment infrastructure because remaining property is needed for planned capacity expansions. *See* Petition at I.C.2 and Exhibit 9. Wellhead treatment is similarly constrained by limited land availability, property restrictions, setbacks, wetlands, and acquisition costs. *See* Petition at I.C.2; Exhibit 10; Exhibit 11. Modular reverse osmosis systems would result in excessive system-wide costs, (e.g., "Pure Aqua" Modular RO systems costing approximately $73.16 million with an increased annual operating cost of $2.53 million). *See* Petition at I.C.2; Exhibit 12.

Additionally, the economic impacts would extend directly to Village residents. Implementation of available treatment alternatives would require estimated water and sewer rate increases ranging from approximately 27% to 79%. *See* Petition at I.C.2; Exhibit 15. For a

[3] *See* Exhibit 8, pdf page 190 of the Petition for the cost breakdown per wellhead.
[4] See Exhibit 7, page 4; Exhibit 8, pdf page 190 of the Petition for Summary Cost.

customer using 10,000 gallons per month, the resulting annual increase would range from approximately $483 to $1,436, creating a widespread financial burden across the Village's customer base. *Id*.

The Agency finds that the Village has demonstrated that attainment of the applicable chloride criterion is not feasible during the term of the TLWQS because the chloride loading originates from widespread human-caused sources outside the Village's direct control and cannot be eliminated within the variance period without causing greater environmental harm. Specifically, individual customer-operated water softening systems represent the primary chloride source, and available treatment alternatives either fail to provide a practicable chloride management solution, create concentrated chloride residual streams without feasible disposal options, require unavailable land resources, or impose excessive economic burdens. Additionally, implementation of the evaluated alternatives would result in substantial and widespread economic and social impacts through significant capital expenditures, operation and maintenance costs, utility rate increases, and additional stress on limited groundwater resources. Therefore, the Agency agrees that the Village satisfies the requirements of 40 CFR §131.10(g)(3) and (6) and has demonstrated that the chloride criterion is unattainable throughout the term of the TLWQS.

Highest Attainable Condition Analysis

For a single-discharger TLWQS, the HAC must be specified as a quantifiable expression that is one of the following:

i. The highest attainable interim criterion; or

ii. The interim effluent condition that reflects the greatest pollutant reduction achievable; or

iii. If no additional feasible pollutant control technology can be identified, the interim criterion or interim effluent condition that reflects the greatest pollutant reduction achievable with the pollutant control technologies installed at the time the Board

> adopts the TLWQS and with the adoption and implementation of a Pollutant Minimization Program.

See 35 Ill. Adm. Code 104.565(d)(4)(A).

The Agency believes the HAC in this case must be expressed as set forth in paragraph (iii) above for the reasons discussed in the analysis of factors 3 and 6. Under this approach, the HAC must be expressed as an interim criterion or interim effluent condition reflecting the greatest pollutant reduction achievable with the pollutant control technologies installed at the time the Board adopts the TLWQS and with the adoption and implementation of a Pollutant Minimization Program. The Agency recommends implementation of the Petitioner's proposed program with the modifications set forth in this Recommendation. *See* 35 Ill. Adm. Code 104.565(d)(4)(A)(iii).

During the term of the TLWQS, the Petitioner proposes an interim criterion representing the HAC consisting of a 12-month rolling geometric mean total chloride concentration of 582 mg/L during April through November, along with a daily maximum chloride concentration of 612 mg/L, which represents the 99th percentile one-day maximum chloride concentration from April 2023 to December 2025. *See* Petition at I.E.2 and Exhibit 6. The proposed HAC is based primarily on recent historical effluent chloride concentrations achieved under existing pollutant reduction measures, including the Village's "Dial it Back" public education campaign, customer outreach initiatives, informational videos, and recommended water softener settings available on the Village's website. *See* Petition at I.E.1; Exhibit 4; Exhibit 6. Accordingly, the Petition argues that the effluent condition reflecting the greatest currently achievable reduction in chloride loading is the existing effluent condition, while recognizing that additional outreach efforts and source reduction measures may result in further reductions in chloride loadings. *See* Petition at I.E.1; I.E.2.

The Regional Wastewater Treatment Plant reports achieving a 99th percentile monthly average chloride concentration of 582 mg/L based on monitoring data from April 2023 through December 2025. *See* Petition at I.D; Exhibit 6. As such, the Agency does not find it appropriate to set the HAC as a 12-month rolling annual geometric mean of 582 mg/L. The 582 mg/L value is derived from the 99th percentile of monthly average chloride concentrations for the April through December dataset, not from a calculated 12-month rolling annual geometric mean. These are different statistical metrics and are not directly interchangeable. Without demonstrating that 582 mg/L represents a true 12-month rolling annual geometric mean, the proposed HAC is not supported by the underlying data. However, a maximum monthly average of 582 mg/L chloride concentration is representative of the data, as presented by the Petitioner. *See* Exhibit 6.

Separately, with respect to potential impacts on existing water quality, the available information indicates that the proposed HAC is not expected to lower existing water quality. The 2020/2022 Integrated Report 303(d) List de-listed chloride as potential cause of impairment for the receiving waterbody, Hickory Creek (Segment IL_GG-06). Hickory Creek Waterbody Segment IL_GG-06 is currently meeting all designated uses. The proposed interim condition generally reflects existing 99th percentile discharge levels, and thus no increase in chloride loading if the HAC is met. The receiving stream is also currently meeting applicable water quality standards. Because the receiving waterbody has a reported 7Q10 flow of approximately 1.1 cfs, the Agency recommends consideration of instream monitoring or receiving-water modeling during the TLWQS term to verify that the discharge continues to maintain applicable water quality standards.

Pollutant Minimization Program

The Village commits to implementing a Pollutant Minimization Program that includes continued public outreach to educate residents on the usage and optimization of private water softening systems. *See* Petition at I.E.1. This includes continuing the "Dial it Back" campaign. *See* Petition at I.E.1 and Exhibit 4. The remaining description of the Pollutant Minimization Program consists of additional outreach, a chloride concentration survey, and tune-up incentive program that the Village "could" conduct; however, the Village makes no definitive commitments to such efforts. *See* Petition at I.E.1.

The Agency recommends these proposed efforts be included as conditions of the TLWQS Pollutant Minimization Program as follows:

1. Implementation of measurable and enforceable Pollutant Minimization Program milestones, including:

    a) continued public education and outreach regarding water softener optimization;

    b) implementation of a voluntary water softener tune-up incentive program and annual reporting of participation and estimated chloride reductions;

    c) measurable outreach deliverables, including customer contacts, newsletter distribution, website engagement, and educational events;

    d) coordination with the Village Board regarding chloride reduction best management practices where appropriate.

    e) completion of an updated chloride source characterization, including:

        i) a one-time collection system chloride monitoring survey;

        ii) characterization of residential, commercial, and industrial chloride contributions;

        iii) evaluation of seasonal variability through representative sampling; and

        iv) development of load reduction targets based on the monitoring results.

2. Annual reporting, including the implementation of enforceable and measurable milestones indicated above, describing implementation of pollutant minimization measures, monitoring results, progress toward chloride reductions, and evaluation of additional treatment technologies or source reduction opportunities.

The Agency recommends that these conditions and annual reporting remain in effect until the TLWQS expires or the chloride water quality standard is met.

II. Compliance with Federal and State Law

Pursuant to 35 Ill. Adm. Code 104.550(b)(1)(B), the Agency must analyze whether the proposed TLWQS is consistent with applicable federal laws and regulations and satisfies the requirements of Section 38.5 of the Illinois Environmental Protection Act and Part 104. The requested TLWQS is pollutant-specific, limited to a single discharger, and limited in duration, and it does not permanently revise the underlying chloride water quality standard in 35 Ill. Adm. Code 302.208(g). With the Agency's recommended conditions, including continued implementation of a Pollutant Minimization Program and annual reporting, the TLWQS would reflect the greatest pollutant reduction achievable during its term. Accordingly, the Agency believes the proposed TLWQS, as conditioned, is consistent with 40 CFR §131.14, Section 38.5 of the Act, and Part 104.

If the Board adopts the TLWQS, it will not become effective for Clean Water Act purposes unless and until U.S. EPA approves it. *See* 35 Ill. Adm. Code 104.570(a); 40 CFR §§131.14(a)(3), 131.21.

III. Eligibility Criteria

The Board's rules require the Agency's recommendation to include eligibility criteria for dischargers who are not currently a petitioner, but who may want coverage under the TLWQS at a future date. *See* 35 Ill. Adm. Code 104.550(b)(1)(C). The Agency does not believe eligibility criteria are applicable given the specific nature of the proposed single discharger TLWQS.

IV. Other Relevant Information

The Board's regulations require the Agency to report any other information relevant to the disposition of the petition, including any past or pending enforcement actions against the Petitioner. 35 Ill. Adm. Code 104.550(b)(2). The Agency's past or pending enforcement actions involving the Village of Frankfort, relevant to the Board's consideration of this petition, are as follows:

Past Enforcement Action: In March 2014, the Illinois EPA issued a Violation Notice to the Village of Frankfort regarding violation of the chloride effluent limit in the NPDES Permit for its West Wastewater Treatment Plant.[5] In October 2014, the Illinois EPA issued a Notice of Intent to Pursue Legal Action to Frankfort for the violations contained in the March 2014 Violation Notice, and ultimately referred the matter to the U.S. EPA for further enforcement in 2015.[6] At that time, Frankfort was considering expansion of its Regional Plant, which was to have resulted in removing its West Plant and North Plant from service.

Pending Enforcement Action: In February 2023, the Illinois EPA issued a Violation Notice to the Village of Frankfort regarding violation of the chloride effluent limit in the NPDES permit for its Regional Plant.[7] In June 2023, the Illinois EPA issued a Notice of Intent to Pursue Legal Action to Frankfort for the violations contained in the February 2023 Violation Notice and ultimately referred the matter to the Illinois Attorney General's Office.[8] That matter is currently pending.

[5] Illinois EPA Violation Notice W-2014-50030, issued to the Village of Frankfort on March 31, 2014.
[6] Illinois EPA Notice of Intent to Pursue Legal Action, issued to the Village of Frankfort on October 1, 2014.
[7] Illinois EPA Violation Notice W-2023-50011, issued to the Village of Frankfort on February 1, 2023.
[8] Illinois EPA Notice of Intent to Pursue Legal Action, issued to the Village of Frankfort on June 21, 2023.

V. Recommended Disposition

Pursuant to 35 Ill. Adm. Code 104.550(b)(3), the Agency recommends that the Board adopt the requested chloride TLWQS with the conditions set forth herein. The Petitioner has demonstrated that temporary relief is warranted; however, the recommended conditions are necessary to ensure that the interim effluent condition reflects the greatest pollutant reduction achievable throughout the term of the TLWQS.

VI. Term of the TLWQS

The Petitioner proposes a five-year term for the TLWQS. *See* Petition at I.E.2. The Agency recommends approval of a five-year TLWQS applicable from April through November, consistent with the petition, subject to the conditions described above.

Pursuant to 35 Ill. Adm. Code 104.570(a) and 40 CFR §131.14 (b)(1)(iv), the Agency recommends that the term of the TLWQS begin on the date of U.S. EPA's approval.

VII. Persons Seeking Coverage

Pursuant to 35 Ill. Adm. Code 104.550(b)(5), the Village of Frankfort, for discharges from Outfall 001 of its Regional Plant under NPDES Permit No. IL0072192, is the only person seeking coverage under the proposed TLWQS.

WHEREFORE, for the reasons stated above, the Illinois EPA respectfully recommends that the Board adopt a single-discharger TLWQS for total chloride applicable from April through November to discharges from Outfall 001 of the Village of Frankfort Regional Wastewater Treatment Plant, subject to the highest attainable condition and Pollutant Minimization Program conditions set forth herein, for a five-year term beginning on the date of U.S. EPA approval.

Respectfully submitted,
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Dated: September 8, 2026

By: /s/ Sara G. Terranova
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CERTIFICATE OF SERVICE

I, Sara G. Terranova, Assistant Counsel for the Illinois Environmental Protection Agency, hereby certify that I have served a copy of the foregoing NOTICE OF FILING and ILLINOIS EPA'S RECOMMENDATION upon all persons in the attached SERVICE LIST by electronic mail on September 8, 2026.

Dated: September 8, 2026

/s/ Sara G. Terranova

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