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STATE OF ILLINOIS
Pollution Control Board

Ms. Dorothy Gunn
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph St.
Suite 11-500
Chicago, Illinois 60601

J.C. #18

Re: Public Comment re: R01-13

Dear Ms. Gunn:

As an Environmental Engineer and a citizen of the State of Illinois for nearly two decades, I believe that the Illinois Pollution Control Board (IPCB) should adopt strong rules to prevent degradation of Illinois' rivers, streams, lakes, and wetlands.

Illinois' new Antidegradation regulations should do the following three things:

1. Prevent any new or expanded pollution source that would harm waters within the state.
2. All Illinois waters should be protected against new pollution that is not necessary to accommodate important economic or social development.
3. Citizens must be allowed to petition to place high quality waters off limits for increased pollution and petition requirements must not be overly burdensome.

First, new or increased discharges of pollutants should not be allowed where they will harm the biological integrity of the receiving waters. No state permits or approvals should be granted for pollution discharges or other pollution-causing projects unless it is clear, after study by state biologists of the receiving stream that the new pollution will not kill or harm aquatic life or other wildlife. These findings should be documented in a clear and rigorous manner, and be available for review by non-state biologists and the general public.

Secondly, all Illinois waters should be protected against new pollution that is not necessary to accommodate important economic or social development. All reasonable alternatives to allowing the new pollution must be considered carefully.

Developers and dischargers may argue that the Illinois antidegradation rules should only apply to the very highest quality streams and that the rest of the state's waters should be allowed to be polluted until they just barely meet water quality standards. But the health of the environment and the Clean Water Act require that we do better than that. Just barely meeting Illinois water quality standards is certainly not good enough, particularly given that those standards are far too weak at present.

Also, the rules should NOT exempt "small" or "de minimus" new or increased pollution to be permitted without an antidegradation analysis. While obviously a small increase in relatively harmless new pollution need not be studied with the same care as a proposed major new

discharge of toxins or other pollutants, nothing should be allowed to fly in under the radar. Little sources of pollution add up to big problems.

Under the Illinois EPA proposal, the antidegradation protections will not apply to new pollution sources that fall under general permits. This means that many new business and construction permits that cause increased stormwater run-off pollution would be permitted even if they would harm high quality streams. I urge the Pollution Control Board to plug this loophole.

No new pollution should be allowed until it is shown that it is truly necessary for important economic or social development. For example, if a company claims that new pollution is necessary to have a new factory that will provide jobs, the company should at least be required to estimate what jobs it will provide and what it would cost to avoid the new pollution. We can then see what is being "saved" and "gained" by allowing new pollution in our waters.

Thirdly, citizens must be allowed to petition to place high quality waters off limits for increased pollution.

In all regions of the state, there are a few high quality lakes and streams that should be preserved in their existing high quality. To protect natural beauty, endangered species, wildlife, and opportunities for our children to enjoy nature and outdoor recreation, new development should be preventing from impacting these outstanding waters.

The Illinois EPA proposal allows citizens to petition to have waters designated as "Outstanding Resource Waters" and protected from future pollution, but practically makes it impossible for them to do so. Under the proposal, notice must be given to many more types of businesses and individuals than is reasonably necessary. Also, the proposed rules require citizen groups to provide evidence on potential economic impacts of an Outstanding Resource Water designation although such groups obviously do not have access to the necessary information. I urge the Board to eliminate unnecessary burdens on ORW petitions and not require citizens to offer testimony on things that only business knows. Such petitions should not be tied up in a lot of unnecessary red tape and citizens should not be expected to show the economic impacts of the designation. If developers and other businesses are concerned about a potential ORW designation, they can come forward with evidence as to how it might hurt their revenues or costs.

Thank you for the opportunity to voice my opinion on these matters. Please place me on the mailing list for the responsiveness summary, or other official response to these proceedings.

Yours truly,



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