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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAY 15 2002

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO)
AMMONIA NITROGEN STANDARDS)
35 Ill. Adm. Code)

R 02-19
(Rulemaking – Water)

P.C. #3

NOTICE OF FILING

TO: Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

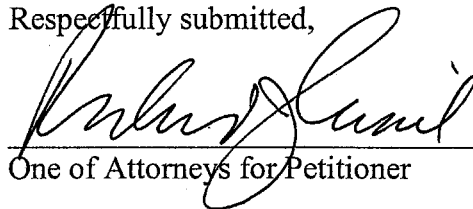
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Office of the Attorney General
Division Chief of Environmental Enforcement
188 West Randolph Street
Chicago, IL 60610

See Attached Service List

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

Respectfully submitted,



One of Attorneys for Petitioner

Dated: May 15, 2002

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THIS FILING IS SUBMITTED ON RECYCLED PAPER

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Pollution Control Board
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IN THE MATTER OF:)
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PROPOSED AMENDMENTS TO) **R 02-19**
AMMONIA NITROGEN STANDARDS) **(Rulemaking – Water)**
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PUBLIC COMMENTS

NOW COMES, The Illinois Association of Wastewater Agencies (“IAWA”) by its attorneys, Gardner, Carton & Douglas to submit the following public comments:

1. Pursuant to the Order of the Hearing Officer in this matter, public comments are due to be filed on or before May 15, 2002.
2. The IAWA would like to thank the Illinois Environmental Protection Agency (“IEPA”) and the Illinois Pollution Control Board (“Board”) for their assistance, cooperation and attention in this important matter.
3. The IAWA believes that the record currently before the Board provides ample support for the adoption of the proposed revisions to the Ammonia Water Quality Standards currently pending before the Board in this matter.
4. After review of the transcripts in this matter, IAWA would agree with the suggestion made by Board Member Flemal that the word “rather” be deleted from the proposed definition of early life history stage as testified to by Dr. Sheehan. (Tr. 4/23/02 at pp. 20-22).
5. IAWA has reviewed the other questions that were raised by the Board at the April 23, 2002 hearing and believes that those questions have been thoroughly addressed by responses

to questions on the record at that hearing. The sole exception was the agreement by the Agency to provide information regarding typical pH values for Illinois streams. (Tr. at pp.48-49).

6. The record before the Board clearly establishes the basis for the proposed amendments, the rationale behind these amendments and the pressing need to revise the Ammonia Water Quality Standards so that Illinois discharges will be complying with scientifically defensible standards.

7. The record before the Board shows that the IAWA's proposal has the support of the IEPA, has been submitted to the United States Environmental Protection Agency ("U.S. EPA") for review and has been amended to reflect U.S. EPA's comments and has been submitted to a number of state regulatory agencies and environmental agencies for their input and comment. The record clearly shows the lack of opposition and overall support for the adoption of the proposed amendments.

The IAWA respectfully requests that the Board consider the record before it and proceed to first notice with respect to the proposed amendments that have been submitted.

CH02/22188185.1

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Notice of Filing Public Comments** were filed by hand delivery with the Clerk of the Illinois Pollution Control Board and served upon the parties to whom said Notice is directed by first class mail, postage prepaid, by depositing in the U.S. Mail at 321 North Clark Street, Chicago, Illinois on Wednesday, May 15, 2002.



Richard J. Kissel

CH02/22188182.1