

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

JAN 31 2006

IN THE MATTER OF:)

PROPOSED AMENDMENTS TO)
DISSOLVED OXYGEN STANDARD)
35 ILL. ADM. CODE 302.206)

R 04-25
(Rulemaking Air)

STATE OF ILLINOIS
Pollution Control Board

NOTICE

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
(OVERNIGHT VIA MAIL)

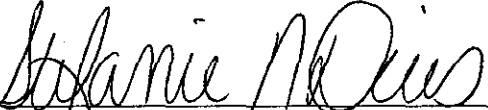
Richard McGill, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
(OVERNIGHT VIA MAIL)

SEE ATTACHED SERVICE LIST
Regular Mail

PLEASE TAKE NOTICE that I have filed with the Office of the Pollution Control Board the ILLINOIS EPA'S STATUS REPORT on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Date: January 30, 2006

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Stefanie N. Diers
Assistant Counsel
Division of Legal Counsel

1021 North Grand Avenue East
P.O. Box 19276
Spring field, IL 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON
RECYCLED PAPER

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS EPA'S STATUS REPORT

The Illinois Environmental Protection Agency ("Illinois EPA") hereby submits this Status Report in compliance with the Hearing Officer's Order of December 14, 2005. This report represents the position of the Illinois EPA as well as the Illinois Department of Natural Resources ("IDNR"). Illinois EPA states as follows:

- 1) Since the filing of Illinois EPA's last status report of November 30, 2005, Illinois EPA and IDNR continue to work to develop a state position concerning Illinois' current dissolved oxygen standard.
- 2) Since the filing of the November 30, 2005 status report, staff from the Illinois EPA and IDNR staff have continued reviewing and analyzing data to determine what waters would warrant a higher dissolved oxygen standard, while focusing greater attention on developing a dissolved oxygen standard based on the data analyzed by both agencies. As previously stated, this process has been proven to be complex and time consuming for both agencies.
- 3) Illinois EPA and IDNR have continued their efforts in developing a proposal for Board consideration that will establish a two tiered dissolved oxygen standard, one tier is generally protective of a full and diverse aquatic community and the second sets incrementally higher oxygen levels for those systems

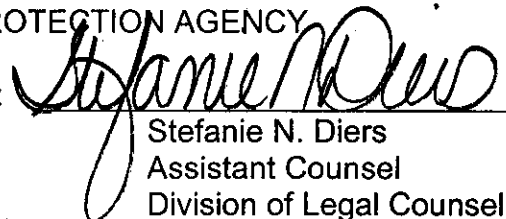
supporting species believed to associate with higher ambient oxygen concentrations.

- 4) Since the filing of the November 30, 2005 status report, Illinois EPA and IDNR have moved forward on two fronts: a) completion of our technical analysis, documentation and report preparation to develop a full record at a future Board Hearing, and b) refinement of specific language of a proposed standard for the Board's consideration.
- 5) It is Illinois EPA and IDNR's intent to complete this effort and be ready to proceed to a hearing as early as March 2006.
- 6) Accordingly, Illinois EPA and IDNR proposes that and would request the Hearing Officer schedule a telephone conference with all interested parties to discuss a potential hearing date in this matter.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:



Stefanie N. Diers
Assistant Counsel
Division of Legal Counsel

Date: January 30, 2006

1021 North Grand Avenue East
P.O. Box 19276
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STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

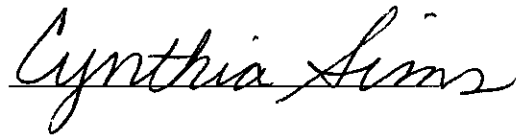
PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Illinois EPA's Status Report upon the person to whom it is directed, by placing it in an envelope addressed to:

TO: Dorothy Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601 (OVERNIGHT VIA MAIL)	Richard McGill, Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601 (OVERNIGHT VIA MAIL)
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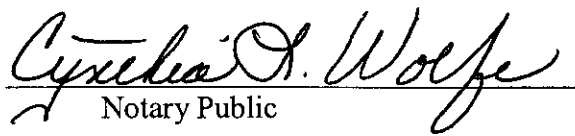
**SEE ATTACHED SERVICE LIST
Regular Mail**

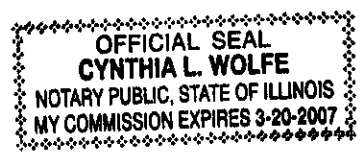
and mailing it by First Class Mail from Springfield, Illinois on January 30, 2006, with sufficient postage affixed.



SUBSCRIBED AND SWORN TO BEFORE ME

this 30th day of January, 2006


Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER

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