

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD JUN 07 2007

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO:)
35 Ill. Adm. Code 302.102(b)(6), 302.102(b)(8))
302.102(b)(10), 302.208(g), 309.103(c)(3),)
405.109(b)(2)(A), 405.109(b)(2)(B), 406.100(d);)
REPEALED 35 Ill. Adm. Code 406.203, PART 407; and)
PROPOSED NEW 35 Ill. Adm. Code 302.208(h))

R07-09
(Rulemaking - Water)

PC 4

NOTICE OF FILING

John Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601


Mathew Dunn
Illinois Attorney General's Office
Environmental Control Division
James R. Thompson Center
100 West Randolph Street
Chicago, Illinois 60601

Jonathan Furr
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

ALSO SEE ATTACHED SERVICE LIST

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Sanjay K. Sofat, Assistant Counsel
Division of Legal Counsel

Dated: June 6, 2007
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

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STATE OF ILLINOIS
Pollution Control Board

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PROPOSED AMENDMENTS TO:)
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AGENCY COMMENTS

THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (the "Agency" or "Illinois EPA") respectfully submits the following comments for the Illinois Pollution Control Board's (the "Board") R07-9 rulemaking proceeding. The Agency files this additional comment in response to the question raised by Hearing Officer, Marie Tipsord, at the April 23, 2007 Board hearing. See April 23, 2007 Hearing Transcript (hereinafter "Tr.") at 43.

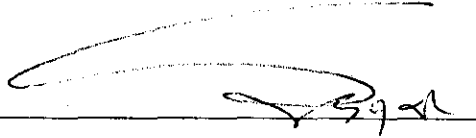
The Hearing Officer asked the Agency to provide its time-frame regarding the filing of the rulemaking on the Lower Des Plaines River and the Chicago waterways. These waters are presently designated as Secondary Contact and Indigenous Aquatic Life Use waters in the Board's regulations. See 35 Ill. Adm. Code Part 302 Subpart D. The Agency believes it has made significant progress towards preparing the final petition, and thus, intends to file this rulemaking before the Board by the end of the summer this year.

The Agency wishes to take this opportunity to thank the Board for holding the hearings on this important rulemaking proposal.

Respectfully Submitted

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: _____

A handwritten signature in black ink, appearing to read "S. Sofat", is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish above the main text.

Sanjay K. Sofat
Assistant Counsel
Division of Legal Counsel

DATED: June 6, 2007
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Service List

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2021 Timberbrook
Springfield, IL 62702

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

SS

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached **Illinois Environmental Protection Agency's Comments** upon the persons to whom it is directed, by placing a copy in an envelope addressed to:

John Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(OVERNIGHT MAIL)

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
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Mathew Dunn
Illinois Attorney General's Office
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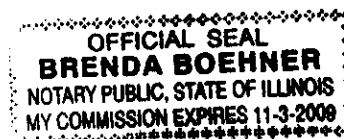
**ALSO SEE ATTACHED SERVICE LIST
(FIRST CLASS)**

and mailing it from Springfield, Illinois on June 6, 2007, by U.S. Mail with sufficient postage affixed.

Meredith Kelley

SUBSCRIBED AND SWORN BEFORE ME
THIS 6th DAY OF JUNE 2007.

Brenda Boehner



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