

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND)
EFFLUENT LIMITATIONS FOR THE) R08-09B
CHICAGO AREA WATERWAY SYSTEM) (Rulemaking – Water)
(CAWS) AND THE LOWER DES PLAINES)
RIVER: PROPOSED AMENDMENTS TO)
35 ILL ADM. CODE PARTS 301, 302, 303)
AND 304 (Recreational Use Designations))

NOTICE OF FILING

To:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601-7447

Stefanie N. Diers, Assistant Counsel
Illinois Environmental Protection
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601-7447

Persons on the attached service list

Please take notice that on the 21st Day of November, 2011, I filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Joint Status Report of Illinois EPA, Metropolitan Water Reclamation District, and Environmental Groups Concerning Resolution of Aquatic Life Use Issues**, a copy of which is hereby served upon you.



By: _____
Ann Alexander, Natural Resources Defense Council

Dated: November 21st, 2011

Ann Alexander
Senior Attorney
Natural Resources Defense Council
2N. Riverside Plaza, Suite 2250
Chicago, Illinois 60606
312-651-7905
312-663-9920 (fax)
AAlexander@nrdc.org

CERTIFICATE OF SERVICE

I, Ann Alexander, the undersigned attorney, hereby certify that I have served the attached **Joint Status Report of Illinois EPA, Metropolitan Water Reclamation District, and Environmental Groups Concerning Resolution of Aquatic Life Use Issues** on all parties of record (Service List attached), by depositing said documents in the United States Mail, postage prepaid, from 227 W. Monroe, Chicago, IL 60606, before the hour of 5:00 p.m., on this 21st Day of November, 2011.



Ann Alexander, Natural Resources Defense Council

SERVICE LIST

November 21, 2011

Frederick M. Feldman, Esq., Louis Kollias,
Margaret T. Conway, Ronald M. Hill
Metropolitan Water Reclamation District
100 East Erie Street
Chicago, IL 60611

Andrew Armstrong, Matthew J. Dunn – Chief,
Susan Hedman
Office of the Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, IL 60602

Roy M. Harsch
Drinker Biddle & Reath
191 N. Wacker Drive, Suite 3700
Chicago, IL 60606-1698

Bernard Sawyer, Thomas Grant
Metropolitan Water Reclamation District
6001 W. Pershing Rd.
Cicero, IL 60650-4112

Claire A. Manning
Brown, Hay & Stephens LLP
700 First Mercantile Bank Building
205 South Fifth St., P.O. Box 2459
Springfield, IL 62705-2459

Lisa Frede
Chemical Industry Council of Illinois
1400 East Touhy Avenue Suite 110
Des Plaines, IL 60019-3338

Deborah J. Williams, Stefanie N. Diers
IEPA
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Fredric P. Andes, Erika K. Powers
Barnes & Thornburg
1 North Wacker Drive Suite 4400
Chicago, IL 60606

Alec M. Davis, Katherine D. Hodge,
Matthew C. Read, Monica T. Rios,
N. LaDonna Driver
Hodge Dwyer & Driver
3150 Roland Avenue P.O. Box 5776
Springfield, IL 62705-5776

James L. Daugherty - District Manger
Thorn Creek Basin Sanitary District
700 West End Avenue
Chicago Heights, IL 60411

Ariel J. Teshler, Jeffrey C. Fort
Sonnenschein Nath & Rosenthal
233 South Wacker Driver Suite 7800
Chicago, IL 60606-6404

Tracy Elzemeyer – General Counsel
American Water Company
727 Craig Road
St. Louis, MO 63141

Jessica Dexter, Albert Ettinger
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601

Keith I. Harley, Elizabeth Schenkier
Chicago Legal Clinic, Inc.
205 West Monroe Street, 4th Floor
Chicago, IL 60606

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Robert VanGyseghem
City of Geneva
1800 South Street
Geneva, IL 60134-2203

Frederick D. Keady, P.E. – President
Vermilion Coal Company
1979 Johns Drive
Glenview, IL 60025

Cindy Skrukud, Jerry Paulsen
McHenry County Defenders
132 Cass Street
Woodstock, IL 60098

Mark Schultz
Navy Facilities and Engineering Command
201 Decatur Avenue Building 1A
Great Lakes, IL 60088-2801

W.C. Blanton
Husch Blackwell Sanders LLP
4801 Main Street Suite 1000
Kansas City, MO 64112

Irwin Polls
Ecological Monitoring and Assessment
3206 Maple Leaf Drive
Glenview, IL 60025

Marie Tipsord - Hearing Officer
Illinois Pollution Control Board
100 W. Randolph St.
Suite 11-500 Chicago, IL 60601

Dr. Thomas J. Murphy
2325 N. Clifton Street
Chicago, IL 60614

James E. Eggen
City of Joliet,
Department of Public Works and Utilities
921 E. Washington Street
Joliet, IL 60431

Cathy Hudzik
City of Chicago –
Mayor's Office of Intergovernmental Affairs
121 N. LaSalle Street City Hall - Room 406
Chicago, IL 60602

Kay Anderson
American Bottoms RWTF
One American Bottoms Road
Sauget, IL 62201

Stacy Meyers-Glen
Openlands
25 East Washington Street, Suite 1650
Chicago, IL 60602

Jack Darin
Sierra Club
70 E. Lake Street, Suite 1500
Chicago, IL 60601-7447

Beth Steinhorn
2021 Timberbrook
Springfield, IL 62702

Bob Carter
Bloomington Normal Water Reclamation
District
PO Box 3307
Bloomington, IL 61702-3307

Lyman Welch
Alliance for the Great Lakes
17 N. State St., Suite 1390
Chicago, IL 60602

Tom Muth
Fox Metro Water Reclamation District
682 State Route 31
Oswego IL 60543

James Huff - Vice President
Huff & Huff, Inc.
915 Harger Road, Suite 330
Oak Brook IL 60523

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Kenneth W. Liss
Andrews Environmental Engineering
3300 Ginger Creek Drive
Springfield, IL 62711

Vicky McKinley
Evanston Environment Board
223 Grey Avenue
Evanston, IL 60202

Jamie S. Caston, Marc Miller
Office of Lt. Governor Pat Quinn
Room 414 State House
Springfield, IL 62706

Susan Charles, Thomas W. Dimond
[Ice Miller LLP](#)
200 West Madison, Suite 3500
Chicago, IL 60606

Traci Barkley
Prairie Rivers Network
1902 Fox Drive Suite 6
Champaign, IL 61820

Kristy A. N. Bulleit
Hunton & Williams LLC
2200 Pennsylvania Avenue, NW
Washington DC 20037

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WATER QUALITY STANDARDS AND)
EFFLUENT LIMITATIONS FOR THE) R08-09C
CHICAGO AREA WATERWAYS SYSTEM) (Rulemaking- Water)
(CAWS) AND THE LOWER DES PLAINES)
RIVER: PROPOSED AMENDMENTS TO)
35 Ill. Adm. Code Parts 301, 302, 303 and 304)
(Recreational Use Designations))

**JOINT STATUS REPORT OF ILLINOIS EPA, METROPOLITAN
WATER RECLAMATION DISTRICT, AND ENVIRONMENTAL
GROUPS CONCERNING RESOLUTION OF AQUATIC LIFE USE ISSUES**

The Illinois Environmental Protection Agency (“Illinois EPA”), Metropolitan Water Reclamation District of Greater Chicago (“MWRD”), Natural Resources Defense Council (“NRDC”), Environmental Law & Policy Center, Friends of the Chicago River, Openlands, Alliance for the Great Lakes, Southeast Environmental Task Force, Prairie Rivers Network, and Sierra Club-Illinois Chapter (collectively, “Environmental Groups”) submit the following joint status report concerning their efforts to resolve issues in Subdockets C and D, pursuant to the Board’s order dated September 23, 2011.

Illinois EPA, MWRD, and the Environmental Groups (collectively, “Participants”) have held several meetings at which significant progress was made toward defining the scope of negotiations and moving toward an agreement on Subdocket C and D. We are actively in the process of vetting competing views concerning appropriate dissolved oxygen criteria, and are discussing strategies for defining a timetable for compliance.

While progress has not been as swift as Participants hoped, we are working towards streamlining the process by using subcommittees and limiting participation to key representatives. Participants have convened meetings in two working subcommittees to address the critical issues of dissolved oxygen and habitat improvement. The dissolved oxygen subcommittee held an initial meeting earlier this month (attended by the District Executive Director), and is holding its most recent meeting today. The habitat improvement committee has begun to explore opportunities along the Chicago Area Waterways. A portion of the subcommittee has met in the field and developed a selection of recommendations based upon real site conditions. The full habitat committee, which includes MWRD and Illinois Department of Natural Resources participants, plans to meet today.

Participants believe at this juncture that an additional 30 days would allow them to either reach agreement in principle, or conclude that such an agreement is not possible (the length of the recommended time frame is partly in consideration of the constraints of the holiday season). They therefore request that the Board set a new date for a status report, and/or submittal of any motions concerning next steps.

November 21, 2011

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:

_____/s_____

Deborah Williams

Stefanie N. Diers
Division of Legal Counsel

METROPOLITAN WATER
RECLAMATION DISTRICT

By:

/s

Frederic P. Andes
Barnes & Thornburg LLP

NATURAL RESOURCES DEFENSE
COUNCIL

ENVIRONMENTAL LAW AND POLICY
CENTER

OPENLANDS

SIERRA CLUB—ILLINOIS CHAPTER

PRAIRIE RIVERS NETWORK

FRIENDS OF THE CHICAGO RIVER

ALLIANCE FOR THE GREAT LAKES

By:



NRDC Senior Attorney and authorized to
represent all of the above parties with regard
to this document