

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

To:

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Suite 11-500
Chicago, IL 60601

Marie Tipsord, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St, Suite 11-500
Chicago, IL 60601

Persons included on the attached

SERVICE LIST

Please take notice that on the 3rd Day of January, 2012, 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 Proposed Aquatic Life Use Designations**, a copy of which is hereby served upon you.

Respectfully Submitted,



Albert Ettinger
Counsel for Environmental Groups
53 W. Jackson Blvd., Suite 1664
Chicago, IL 60604

DATED: January 3, 2012

CERTIFICATE OF SERVICE

I, Albert F. Ettinger, the undersigned, hereby certify that I have served the attached:
UPDATED JOINT STATUS REPORT OF ILLINOIS EPA, METROPOLITAN WATER
RECLAMATION DISTRICT, AND ENVIRONMENTAL GROUPS CONCERNING
PROPOSED AQUATIC LIFE USE DESIGNATIONS upon:

Mr. John T. Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on January 3, 2012; and upon the attached service list by depositing said documents in the United States Mail, postage prepaid, in Chicago, Illinois on January 3, 2012.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Albert Ettinger", with a long horizontal flourish extending to the right.

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January 3, 2012

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**UPDATED JOINT STATUS REPORT OF ILLINOIS EPA, METROPOLITAN
WATER RECLAMATION DISTRICT, AND ENVIRONMENTAL
GROUPS CONCERNING PROPOSED AQUATIC LIFE USE DESIGNATIONS**

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, Southeast Environmental Task Force, Prairie Rivers Network, and Sierra Club-Illinois Chapter (collectively, “Environmental Groups”) submit the following updated 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 now held numerous meetings at which significant progress was made toward an agreement on portions of both Subdocket C and D. We have also reached tentative agreements regarding habitat restoration, variances and permit terms that will be needed to make workable and effective the agreements regarding designations and criteria. (For MWRD, these tentative agreements are subject to approval by the Executive Director and the Board of Commissioners.)

We believe that we will be able to present positions that are agreed to by the participants in mid-February as to proper designations of many of the segments of the CAWS as well as agreed DO criteria for those segments.

Due to the progress that has been made, participants believe that the Board should take the next step toward resolution of this proceeding by setting a date for filing of post-hearing comments in Subdocket C. In view of the need for further discussions among participants to specify details of tentative agreements as well as the need to complete the work on post-hearing comments that was largely suspended in October, we hereby ask that the Board set February 17, 2012, as the last date for filing Post-Hearing Comments in Subdocket C before First Notice.

January 3, 2012

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:

/s/ —

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Stefanie N. Diers
Division of Legal Counsel

METROPOLITAN WATER
RECLAMATION DISTRICT

By:

/s/

Frederic P. Andes

Barnes & Thornburg LLP

NATURAL RESOURCES DEFENSE
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ENVIRONMENTAL LAW & POLICY
CENTER

OPENLANDS

SIERRA CLUB—ILLINOIS CHAPTER

PRAIRIE RIVERS NETWORK

FRIENDS OF THE CHICAGO RIVER

By:



Albert Ettinger

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