

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF HOMEWOOD,)
HOMEWOOD ILLINOIS, VILLIAGE)
OF ORLAND PARK, ORLAND PARK, ILLINOIS	) PCB 16-14 (Homewood)
VILLAGE OF MIDLOTHIAN, MIDLOTHIAN,	) PCB 16-15 (Orland Park)
ILLINOIS, VILLAGE OF TINELY PARK, TINLEY PARK,	) PCB 16-16 (Midlothian)
ILLINOIS, EXXONMOBIL OIL CORPORATION,	) PCB 16-17 (Tinley Park)
VILLAGE OF WILMETTE, CITY OF COUNTRY	) PCB 16-18 (ExxonMobil)
CLUB HILLS, COUNRTY CLUB HILLS, ILLINOIS,	) PCB 16-20 (Wilmette)
NORAMCO-CHICAGO, INC., FLINT HILLS,	) PCB 16-21 (Country Club Hills)
RESOURCES JOLIET, LLC, CITY OF EVANSTON,	) PCB 16-22 (Noramco-Chicago)
VILLAGE OF SKOKIE, ILLINOIS DEPARTMENT OF,	) PCB 16-23 (Flint Hill Resources)
TRANSPORTATION, METROPOLITAN WATER	) PCB 16-25 (Evanston)
RECLAMATION OF GREATER CHICAGO, VILLAGE	) PCB 16-26 (Skokie)
OF RICHTON PARK, VILLAGE OF LINCOLNWOOD	) PCB 16-27 IDOT)
And CITY OF OAK FOREST, OAK FOREST, ILLINOIS,	) PCB 16-29 (MWRDGC)
	) PCB 16-30 (Richton Park)
	) PCB 16-31 (Lincolnwood)
	) PCB 16-33 (Oak Forest)
Petitioners,	) (Time-Limited Water Quality Stand
	) Standard)
	) (Consolidated)
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)

NOTICE OF FILING

To: Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
Via Electronic Mail

Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
Via Electronic Mail

See attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board ILLINOIS EPA'S MOTION FOR CLARIFICATION for the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Stefanie Diers
Stefanie Diers
Assistant Counsel
Division of Legal Counsel

DATED: May 3, 2017
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

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ILLINOIS EPA'S MOTION FOR CLARIFICATION

The Illinois Environmental Protection Agency ("Illinois EPA" or "Agency"), by and through its attorney, and pursuant to Section 100.500(d) of the Board's procedural rules, hereby submits its Motion for Clarification. In support thereof, the Illinois EPA states as follows:

- 1) On March 16, 2017, the Agency filed its Response to the time limited water quality standard petitions for the chloride water quality standard as required by P.A. 99-937.

2) In its Response, the Agency included a map that outlined the watershed, waterbodies, or waterbody segments affected by the water quality standard from which relief is sought. See Illinois EPA's Response to the Variance Petition, March 16, 2017 para. 5 (March 16, 2107).

3) In an April 12, 2017 Order, the Illinois Pollution Control Board ("Board") stated that the Agency identified the Chicago Area Waterway System (CAWS) watershed in portions of Cook, DuPage, Grundy and Will Counties. The Board also established "POTWs, communities with CSO outfalls, industrial sources, MS4s, IDOT, Illinois Tollway, and salt storage facilities within the CAWS watershed as the class of dischargers potentially covered by a watershed time-limited water quality standard for chloride under Section 38.5(f) of the Act" See Order at 2.

4) The Board did not describe the area included as the "CAWS watershed" or include the map the Agency originally submitted in its March 16, 2017 Response.

5) To address any potential confusion as to what is and is not included within the "CAWS watershed," the Agency requests the Board clarify its April 12, 2107 Order. The Agency proposes the following narrative clarification regarding the class of dischargers that may be covered by the requested time limited water quality standard:

“For the purposes of this petition for a time limited water quality standard from the chlorides water quality standard, the watershed is the Des Plaines River watershed from the Kankakee River to the Will County Line (except for the DuPage River watershed) and the CAWS watershed (except the North Branch Chicago River watershed upstream of the North Shore Channel and those portions of the watershed located in Indiana) as defined by the map that IEPA submitted on March 16, 2017. The class of dischargers within these

waters that may be covered includes POTWs, communities with CSO outfalls, industrial sources, MS4s, IDOT, Illinois Tollway, and salt storage facilities. ”

6) The Agency believes this narrative provides the Board and all those involved in these proceedings a clearer understanding of what is meant by the "CAWS watershed" and the map the Agency provided in its Response.

WHEREFORE, the Agency respectfully requests the Board clarify its April 12, 2017 Order.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

By: /s/ Stefanie N. Diers
Stefanie N. Diers
Assistance Counsel
Division of Legal Counsel

DATED: May 3, 2017
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served the attached Illinois EPA's Motion for Clarification for the Illinois Environmental Protection Agency upon the person to whom it is directed, by sending it electronic email, to the following persons:

Don Brown, Clerk of the Board
Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

And electronically served those on the attached Service list.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Stefanie Diers
Stefanie Diers
Assistant Counsel
Division of Legal Counsel

DATED: May 3, 2017

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P.O. Box 19276
Springfield, IL 62794-9276
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