

Board to Hold Hearing on Proposal to Amend Water Quality Standards

The Illinois Pollution Control Board, on November 1, 2007, accepted for hearing a proposal to amend the Board's rules for Secondary Contact and Indigenous Aquatic Life Uses to update the designated uses and criteria necessary to protect existing uses. The Illinois Environmental Protection Agency (IEPA) proposal was filed on October 26, 2007 and docketed as In the Matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and Lower Des Plaines River Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9).

The IEPA states the proposal fulfills the requirements of Section 303 of the Federal Water Pollution Control Act, also known as the Clean Water Act, which requires the states to conduct a "triennial water quality standards" review. The IEPA proposes amendments to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and indigenous Aquatic Life Uses. Secondary Contact and indigenous Aquatic Life Uses designations were for those waters not suited for General Use Activities. All waters that carry these designations are water bodies that were a part of the engineering effort that reversed the flow of the Chicago River and are known as the "Chicago Area Water Way System" (CAWS) and Lower Des Plaines River. In 2000 and 2002, the IEPA began pilot programs for the Lower Des Plaines River and CAWS to develop use attainability analysis for these waters. The proposed rule changes incorporate the findings of the pilot programs.

Specifically, the proposal adds definitions in Part 301, In Part 302 Subpart A, the proposal makes minor changes to ensure consistency with Subpart D and Part 303. In Part 302 Subpart D, the title is changed and proposes several substantive changes throughout the Subpart to reflect the policy changes by the IEPA. In Part 303, the IEPA proposes three distinct recreational uses and three distinct aquatic life uses applicable to CAWS and the Lower Des Plaines River. The proposal adds new Section 304.224 establishing a standard for effluent bacteria for discharges impacted by the fecal coliforms standard in this proposal.

After conducting one or more hearings on this proposal, the Board will consider whether to proceed to first notice.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office:

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