

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

METROPOLITAN WATER RECLAMATION)	
DISTRICT OF GREATER CHICAGO)	
Petitioner,)	
)	
v.)	PCB No. 2016-028
)	
Illinois Environmental Protection Agency)	(Time Limited
)	Water Quality Standard)
)	

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that on November 26, 2019, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, **PRE-FILED QUESTIONS OF FRIENDS OF THE CHICAGO RIVER, ILLINOIS CHAPTER SIERRA CLUB, AND OPENLANDS**, a copy of which is attached hereto and herewith served upon you.

Dated: November 26, 2019

Respectfully Submitted,



Albert Ettinger
Counsel for Friends of the Chicago
River, Sierra Club-Illinois Chapter,
and Openlands

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Pre-filed Questions of Friends of the Chicago River, Illinois Chapter Sierra Club, and Openlands

1. To be clear, this variance only covers combined sewer overflows (CSOs) covered by the NPDES permits for three Metropolitan Water Reclamation District of Greater Chicago (MWRD) plants, Calumet, O'Brien and Stickney?
2. What other CSOs are there that affect the Chicago Area Waterways (CAWS)?
3. What other CSOs are there that affect dissolved oxygen (DO) levels in CAWS?
4. In monitoring, how is the Illinois Environmental Protection Agency (IEPA) and the public to distinguish effects of MWRD CSOs from effects of other CSOs?
5. What are the "interim measures" mentioned at page 3 of the (unpaginated) Amended Petition?
6. Do other entities have CSO direct discharges to water bodies to which O'Brien, Calumet and Stickney CSOs discharge?
7. Does MWRD take in water from other entities into TARP to prevent or lessen CSOs from those other entities?
8. Are there circumstances under which MWRD does not accept water from other entities connected to TARP into the TARP? If so, what are those circumstances?
9. At p. 17 of Amended petition, it is mentioned that a report will be filed six months after completion of McCook 1. That report is due then in July 2020?
10. In the pre-filed testimony of Mr. Gallagher (at page 2 of another unpaginated document), it is mentioned that there were CSOs that flowed into the area covered by the Thornton reservoir system in 2019. Please describe what happened? Whose CSOs were they?
11. Please describe generally what happened to cause the CSOs on February 28, 2017 and March 30, 2017.
12. Are both of these CSO discharges from CSOs covered by the Calumet NPDES permit?

13. Are there CSO discharges in the CAWS segments covered by the Thornton Composite Reservoir ("TCR") that are not covered by the Calumet NPDES Permit?
14. There were violations of the dissolved oxygen standards in 2017 in the Little Calumet River and the Cal Sag in according to the MWRD report 18-29_2017 CDOM (Pre-filed questions Exhibit A, pp. 27-31, the complete document appears at https://mwrld.org/sites/default/files/documents/18-29_2017_CDOM_0.pdf). Would violations like these of the dissolved oxygen standards be covered by the proposed variance if they occurred after the variance went into effect?
15. Can you identify whether any of these violations of the dissolved oxygen standard shown in Pre-filed Questions Exhibit A were caused by CSOs?
16. Turning now to the document entitled Post-Construction Monitoring report for the Calumet Tunnel and Reservoir Plan System that is attached to the Pre-filed Gallagher testimony, on page xi there is a reference to "local conditions," what is meant by that?
17. Have there been other "local conditions" that have caused CSOs into the CAWS?
18. Page 3 shows a number of CSO outfalls. Are those all MWRD owned CSO outfalls or does Figure 1 include other outfalls?
19. On page 4, monitoring on 51 CSO outfalls is discussed. Are those all MWRD outfalls?
20. Outfalls above the confluence of the Little Calumet and the Cal-Sag Channel are shown. Is the Little Calumet upstream of its confluence with the Cal-Sag to be covered by this proposed variance?
21. On page 12, the CSOs due to local conditions are contrasted with "a failure of TARP system operation." What would be a "failure of TARO system operation?"
22. Is the DO data in Table 14 consistent with the data on Pre-filed Questions Exhibit A? Did the minimum post construction DO levels correspond to the periods of very low (less than 2.0 mg/L) levels shown in Exhibit A?

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PRE-FILED QUESTIONS EXHIBIT A

(Attached)

Protecting Our Water Environment



Metropolitan Water Reclamation District of Greater Chicago

***MONITORING AND RESEARCH
DEPARTMENT***

REPORT NO. 18-29

CONTINUOUS DISSOLVED OXYGEN MONITORING IN THE CHICAGO

AREA WATERWAYS DURING 2017

September 2018

FIGURE 14: DISSOLVED OXYGEN CONCENTRATION MEASURED HOURLY AT THE CHICAGO AND WESTERN INDIANA RAILROAD ON THE LITTLE CALUMET RIVER FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017

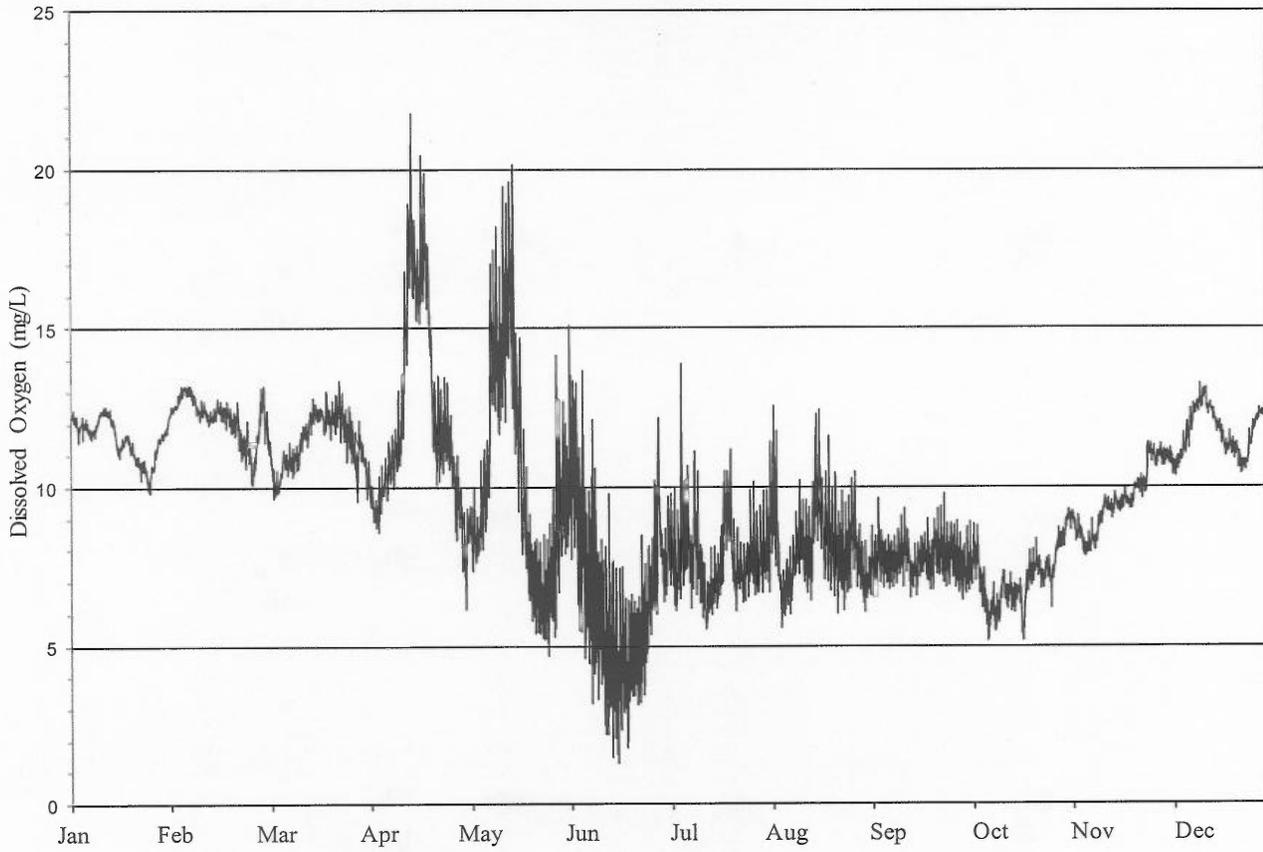


FIGURE 15: DISSOLVED OXYGEN CONCENTRATION MEASURED HOURLY AT HALSTED STREET ON THE LITTLE CALUMET RIVER FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017

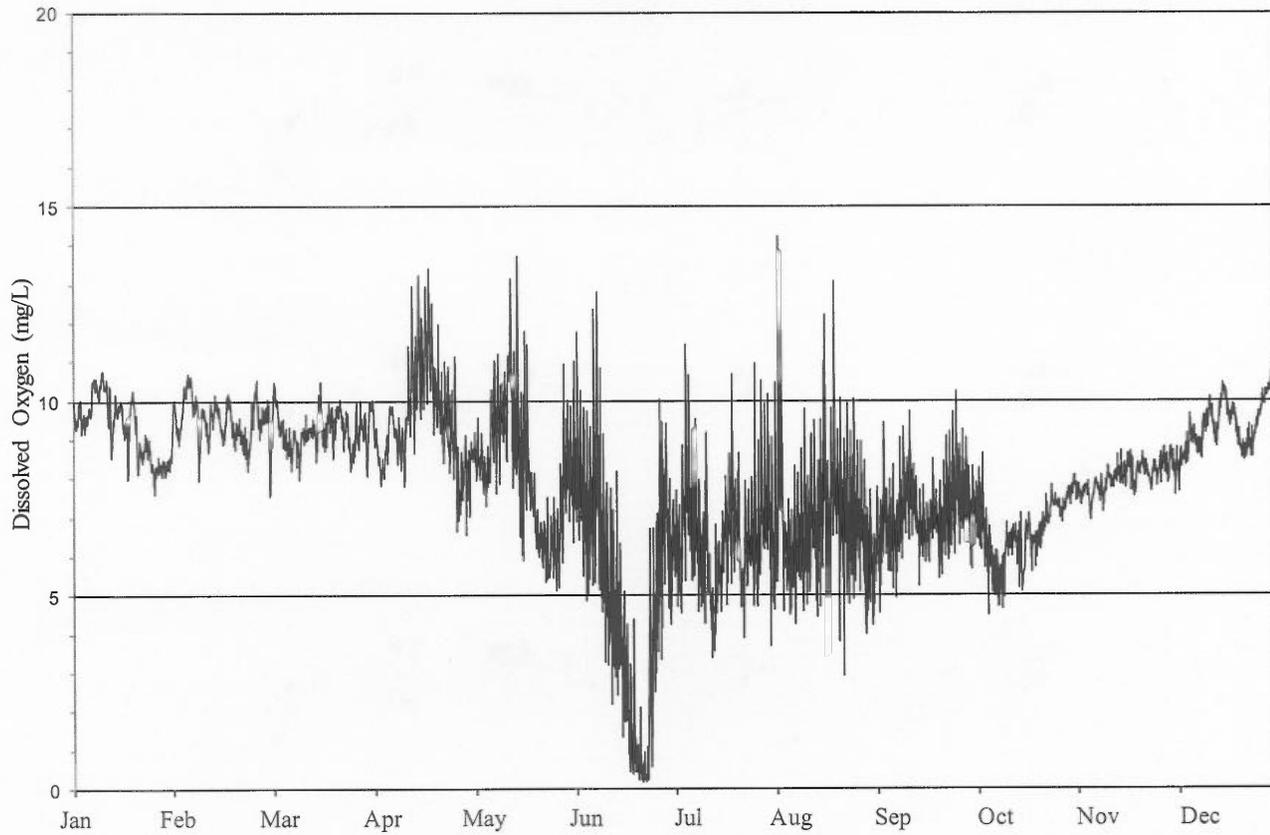


FIGURE 16: DISSOLVED OXYGEN CONCENTRATION MEASURED HOURLY AT ASHLAND AVENUE ON THE LITTLE CALUMET RIVER FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017

29

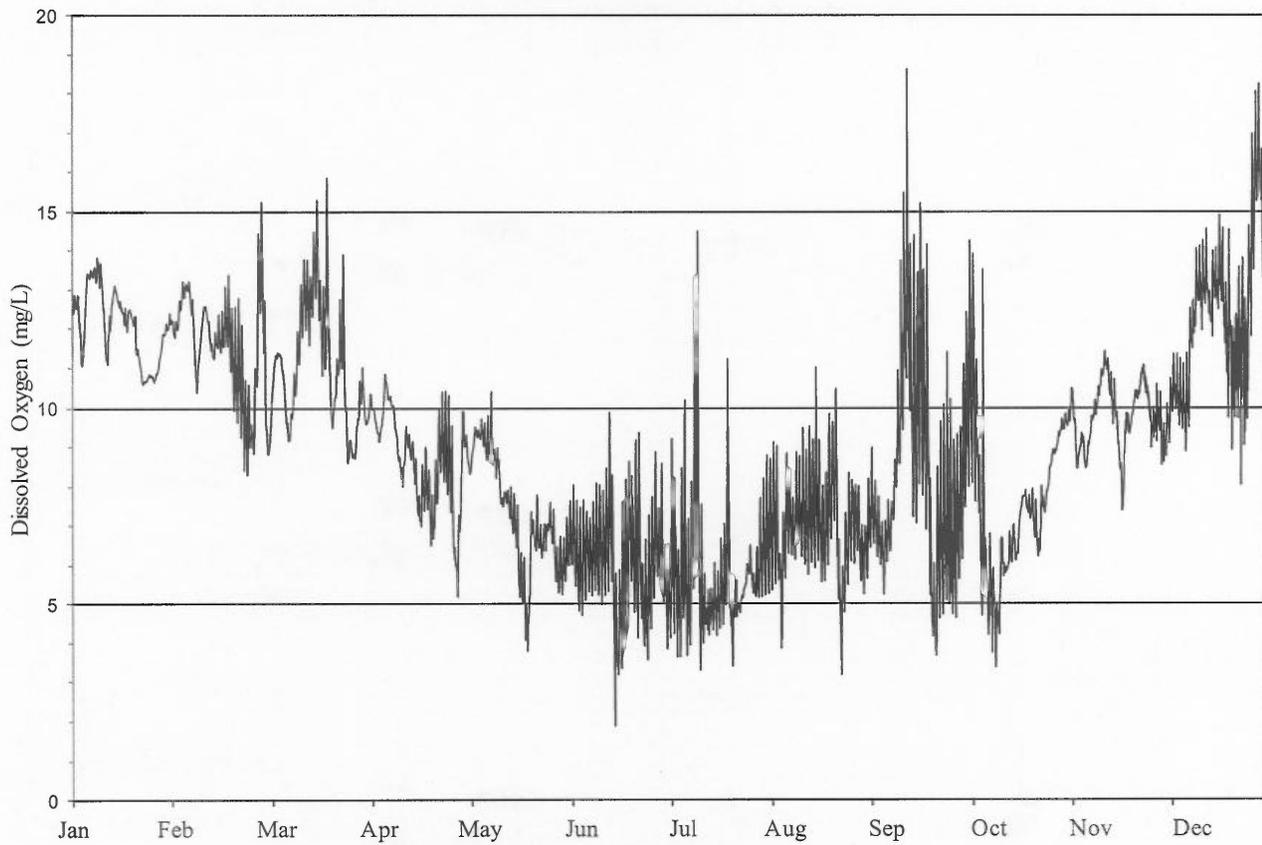


FIGURE 17: DISSOLVED OXYGEN CONCENTRATION MEASURED HOURLY AT CICERO AVENUE ON THE CALUMET-SAG CHANNEL FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017

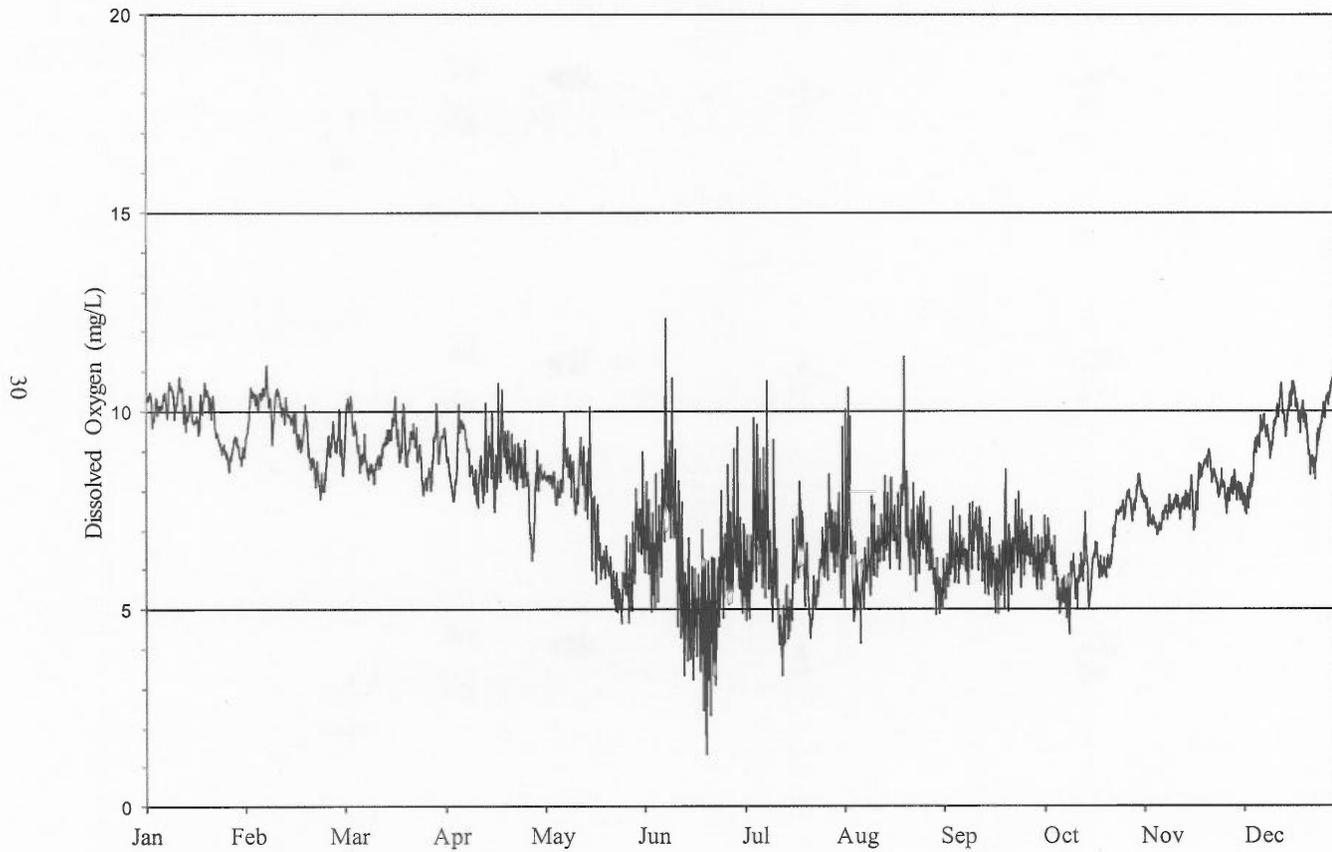
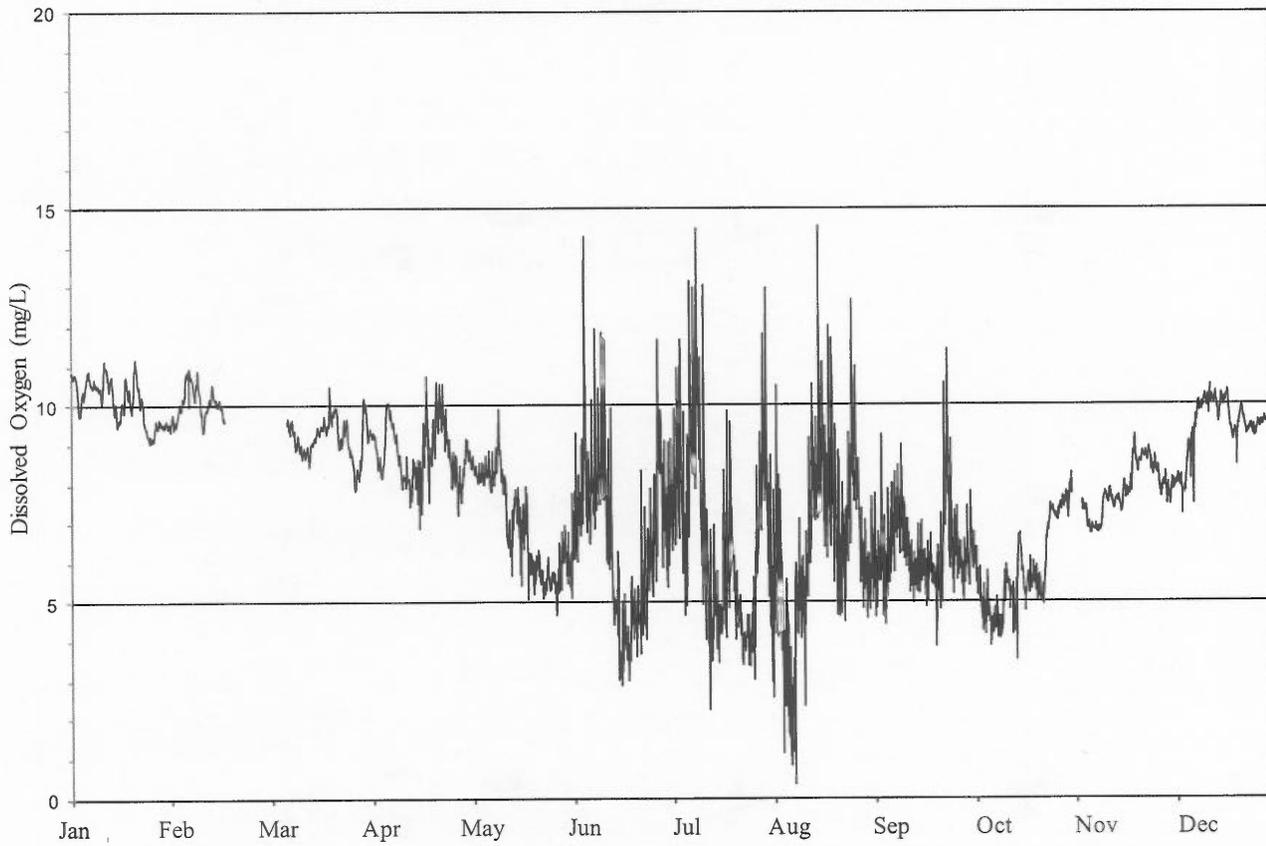


FIGURE 18: DISSOLVED OXYGEN CONCENTRATION MEASURED HOURLY AT ROUTE 83 ON THE CALUMET-SAG CHANNEL FROM JANUARY 1, 2017, THROUGH DECEMBER 31, 2017



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CERTIFICATE OF SERVICE

I, Albert Ettinger, hereby certify that I have filed the attached **NOTICE OF ELECTRONIC FILING, PRE-FILED QUESTIONS OF FRIENDS OF THE CHICAGO RIVER, ILLINOIS CHAPTER SIERRA CLUB, AND OPENLANDS** and attached **EXHIBIT A** upon the attached service list by electronic mail on November 26, 2019.

Dated: November 26, 2019

Respectfully Submitted,



Albert Ettinger
Counsel for Friends of the Chicago
River, Sierra Club-Illinois Chapter,
and Openlands

PCB R2016-028 SERVICE LIST

November 2019

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