

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
PROPOSED SITE SPECIFIC	)	
RULE FOR SANITARY DISTRICT	)	R14-24
OF DECATUR FROM 35 ILL. ADM.	)	(Site Specific Rule – Water)
CODE SECTION 302.208(e).	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Daniel Robertson, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street	100 W. Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **STATUS REPORT**, a copy of which is herewith served upon you.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR,

Dated: August 29, 2014

By: /s/Katherine D. Hodge  
Katherine D. Hodge

Katherine D. Hodge  
Ethan S. Pressly  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached STATUS REPORT, upon:

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

via electronic mail on August 29, 2014; and upon:

Daniel Robertson, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Sara Terranova, Esq.  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on August 29, 2014.

/s/Katherine D. Hodge  
Katherine D. Hodge

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**STATUS REPORT**

NOW COMES the SANITARY DISTRICT OF DECATUR (“District”), by and through its attorneys, HODGE DWYER & DRIVER, and provides this status report to the Hearing Officer and the Illinois Pollution Control Board (“Board” ) regarding recent activities in this matter. The District provides as follows:

On June 30, 2014, the Sanitary District of Decatur (“District”) filed a petition for a site-specific rulemaking pursuant to Sections 27 and 28 of the Environmental Protection Act (“Act”), 415 ILCS 5/27, 28, and Sections 101.202 and 102.210 of the Board’s Regulations, 35 Ill. Admin. Code §§ 102.202, 102.210. The District’s petition seeks to establish an alternative chronic water quality standard for nickel from the point of its discharge into the Sangamon River at its Main Plant to the point of the confluence of the Sangamon River with the South Fork of the Sangamon River near Riverton.

On July 24, 2014, the Board accepted the petition for hearing and directed the assigned hearing officer to schedule and to proceed to hearing under the rulemaking provisions of the Act and the Board’s procedural rules. On July 29, 2014, the hearing officer accepted the District’s request to postpone the scheduling of a hearing date. The Hearing Officer ordered the District to file a status report by August 29, 2014, stating its readiness for hearing or requesting additional time.

The District now respectfully requests an additional sixty (60) days before scheduling a hearing date in this rulemaking proceeding. Currently, the District is continuing to engage in discussions with the United States Environmental Protection Agency ("U.S. EPA") concerning the technical studies at issue in this rulemaking proceeding. As a result of prior discussions, the District has agreed to perform effluent toxicity testing and has been working with U.S. EPA to gain acceptance of its proposed testing protocol. Additional responses to questions raised by U.S. EPA were submitted on July 31, 2014, and supplemental information was provided on August 28, 2014. Once agreement is reached on the testing protocol, several weeks will be required for the laboratory to prepare for and complete the testing. In addition, the District's technical consultant is continuing to develop responses to questions from U.S. EPA regarding the Biotic Ligand Model proposed for use in support of the proposed site-specific rule. The District expects to review the completed responses with U.S. EPA in mid-September.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR,

Dated: August 29, 2014

By: /s/ Katherine D. Hodge  
Katherine D. Hodge

Katherine D. Hodge  
Ethan S. Pressly  
HODGE DWYER & DRIVER  
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Springfield, Illinois 62705