

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

VILLAGE OF HOMEWOOD, HOMEWOOD)	
ILLINOIS, VILLAGE OF ORLAND PARK,)	
ORLAND PARK ILLINOIS, VILLAGE OF)	
MIDLOTHIAN, MIDLOTHIAN ILLINOIS,)	
VILLAGE OF TINLEY PARK, TINLEY PARK)	
ILLINOIS, EXXONMOBIL OIL)	
CORPORATION, VILLAGE OF WILMETTE,)	
WILMETTE ILLINOIS, CITY OF COUNTRY)	
CLUB HILLS, COUNTRY CLUB HILLS)	
ILLINOIS, NORAMCO-CHICAGO, INC.,)	
FLINT HILLS RESOURCES JOLIET LLC,)	
CITY OF EVANSTON, EVANSTON ILLINOIS,)	
VILLAGE OF SKOKIE, SKOKIE ILLINOIS,	)	PCB 16-14 (Homewood)
ILLINOIS DEPARTMENT OF	)	PCB 16-15 (Orland Park)
TRANSPORTATION, METROPOLITAN	)	PCB 16-16 (Midlothian)
WATER RECLAMATION DISTRICT OF	)	PCB 16-17 (Tinley Park)
GREATER CHICAGO, VILLAGE OF	)	PCB 16-18 (ExxonMobil)
RICHTON PARK, RICHTON PARK ILLINOIS,	)	PCB 16-20 (Wilmette)
VILLAGE OF LINCOLNWOOD,	)	PCB 16-21 (Country Club Hills)
LINCOLNWOOD ILLINOIS, CITY OF OAK	)	PCB 16-22 (Noramco-Chicago)
FOREST, OAK FOREST ILLINOIS, VILLAGE	)	PCB 16-23 (Flint Hills Resources)
OF LYNWOOD, LYNWOOD ILLINOIS,	)	PCB 16-25 (Evanston)
CITGO HOLDINGS, INC., VILLAGE OF NEW	)	PCB 16-26 (Skokie)
LENOX, NEW LENOX ILLINOIS, CITY OF	)	PCB 16-27 (IDOT)
LOCKPORT, LOCKPORT ILLINOIS, CITY OF	)	PCB 16-29 (MWRDGC)
CREST HILL, CREST HILL ILLINOIS, CITY	)	PCB 16-30 (Richton Park)
OF JOLIET, JOLIET ILLINOIS, MORTON	)	PCB 16-31 (Lincolnwood)
SALT, INC., CITY OF PALOS HEIGHTS,	)	PCB 16-33 (Oak Forest)
PALOS HEIGHTS ILLINOIS, VILLAGE OF	)	PCB 19-7 (Village of Lynwood)
ROMEOVILLE, ROMEOVILLE ILLINOIS,	)	PCB 19-8 (Citgo Holdings)
IMTT ILLINOIS LLC, STEPAN CO., VILLAGE	)	PCB 19-9 (New Lenox)
OF PARK FOREST, PARK FOREST ILLINOIS,	)	PCB 19-10 (Lockport)
OZINGA READY MIX CONCRETE, INC.,	)	PCB 19-12 (Crest Hill)
OZINGA MATERIALS, INC., MIDWEST	)	PCB 19-13 (Joliet)
MARINE TERMINALS LLC, VILLAGE OF	)	PCB 19-14 (Morton Salt)
MOKENA, MOKENA ILLINOIS, VILLAGE OF	)	PCB 19-15 (Palos Heights)
OAK LAWN, OAK LAWN ILLINOIS,	)	PCB 19-16 (Romeoville)
VILLAGE OF DOTON, DOTON ILLINOIS,	)	PCB 19-17 (IMTT Illinois)
VILLAGE OF GLENWOOD, GLENWOOD	)	PCB 19-18 (Stepan)
ILLINOIS, VILLAGE OF MORTON GROVE,	)	PCB 19-19 (Park Forest)
MORTON GROVE ILLINOIS, VILLAGE OF	)	PCB 19-20 (Ozinga Ready Mix)
LANSING, LANSING ILLINOIS, VILLAGE OF	)	PCB 19-21 (Ozinga Materials)
FRANKFORT, FRANKFORT ILLINOIS,	)	PCB 19-22 (Midwest Marine)
VILLAGE OF WINNETKA, WINNETKA	)	PCB 19-23 (Mokena)

ILLINOIS, VILLAGE OF LA GRANGE, LA	)	PCB 19-24 (Oak Lawn)
GRANGE ILLINOIS, VILLAGE OF	)	PCB 19-25 (Dolton)
CHANNAHON, CHANNAHON ILLINOIS,	)	PCB 19-26 (Glenwood)
COOK COUNTY DEPARTMENT OF	)	PCB 19-27 (Morton Grove)
TRANSPORTATION AND HIGHWAYS,	)	PCB 19-28 (Lansing)
VILLAGE OF NILES, NILES ILLINOIS,	)	PCB 19-29 (Frankfort)
SKYWAY CONCESSION COMPANY LLC,	)	PCB 19-30 (Winnetka)
VILLAGE OF ELWOOD, ELWOOD ILLINOIS,	)	PCB 19-31 (La Grange)
CITY OF CHICAGO, CHICAGO ILLINOIS,	)	PCB 19-33 (Channahon)
VILLAGE OF CRESTWOOD, CRESTWOOD	)	PCB 19-34 (CCDTH)
ILLINOIS and VILLAGE OF RIVERSIDE,	)	PCB 19-35 (Niles)
RIVERSIDE ILLINOIS	)	PCB 19-36 (Skyway)
	)	PCB 19-37 (Elwood)
Petitioners,	)	PCB 19-38 (Chicago)
	)	PCB 19-40 (Crestwood)
v.	)	PCB 19-48 (Riverside)
)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	(Time-Limited Water Quality
AGENCY,	)	Standard)
	)	(Consolidated)
Respondent.)	
)	

NOTICE OF FILING

To:	Don Brown, Clerk of the Board	Brad Halloran, Hearing Officer
	Illinois Pollution Control Board	Illinois Pollution Control Board
	James R. Thompson Center	James R. Thompson Center
	100 West Randolph, Suite 11-500	100 West Randolph, Suite 11-500
	Chicago, Illinois 60601	Chicago, Illinois 60601
	Via Electronic Mail	Via Electronic Mail
	(SEE PERSONS ON ATTACHED SERVICE LIST)	

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board ILLINOIS EPA'S PRE-FILED QUESTIONS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

Dated: February 13, 2020
1021 North Grand Avenue East
PO Box 19276
Springfield, Illinois 62794

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

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Respondent.)	
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ILLINOIS EPA’S PREFILED QUESTIONS

NOW COMES the Illinois Environmental Protection Agency (Illinois EPA or Agency), by and through one of its attorneys, and submits the following pre-filed questions.

Pre-filed questions for Laura Barghusen

1) On page 3, you state, “allowing for a more lenient highest attainable condition and relaxed conditions in a TLWQS for chlorides, which would ultimately result in greater pollution in these waters...”.

- a) Is it your understanding that by approving the Chloride TLWQS, the affected parties would be discharging more chloride than they do currently?
- b) Is a TLWQS an interim approach to come into compliance with the existing water quality standards?

2) What is meant by “Chicago Wilderness rivers and streams” on page 4?

3) On page 5, you state, “Studies show that greater exposure to chlorides could be especially detrimental to certain species of glochidia and juvenile mussels.” Would you agree that this something that should be brought up in the derivation of water quality standards and not in a TLWQS?

4) On page 5, you state, “The petitioners do not take a science-based approach to demonstrate the effect of its proposed TLWQS on existing aquatic life, ...”.

- a) Are you aware that this TLWQS will not increase the amount of chloride being released to the receiving stream?
- b) Are you aware that this is the start of a process to get BMPs, applied to the use of salt, which will decrease the amount of salt used?

5) On page 7, you state, “Dischargers could achieve compliance with the proposed interim criterion, allowing higher chloride concentrations within the range of thresholds known to have negative and lethal effects on aquatic life, so long as the average concentration throughout the entire system over the course of the first four years is 280 mg/L.”

- a) Have you ever led a program to reduce chloride use when the source of chlorides is dependent on the weather?
- b) Are you aware that the DuPage River/Salt Creek system has been reducing chlorides in their watershed?
- c) Are you aware that they have had success in reducing chloride applications in the watershed?
- d) Are you also aware that they have had no success in demonstrating a link to the chloride concentration in the stream because of different storm events each year?

6) On page 7, you state, “Taking into account these chronic and acute threshold, nothing in the proposed TLWQS indicates that the suggested interim criterion, assessed for compliance only as a four-year seasonal average across the entire CAWs and LDPR, would

protect known aquatic life species. Is this a requirement of a TLWQS (variance)?

7) On page 9, you state, “Although Petitioners have only requested a TLWQS for the winter months, chlorides can remain high into warmer months by deposit in soil and transportation through stormwater flow, ...” Will reductions in the application of salt during the winter, reduce the amount of salt that is deposited in soil and transported through stormwater flow during the warmer months?

8) On page 10 you state, “... should be considered when setting appropriate chloride levels in the TLWQS.” Are you aware that this is a TLWQS variance procedure and, in addition to the BMPs required to reduce the salt application, facilities will be trying to link the reduced salt application to reduced chloride in the receiving stream?

Pre-filed questions for Adams James

1) On page 3, you state, “In these instances, in order to reduce the amount of snow melt and stormwater that comes into contact with the working area, it may be necessary to regrade and reconstruct the pavement around the working area to intercept runoff from these ‘offsite’ tributary areas.” Would berms be able to redirect the flow from these ‘offsite’ tributary areas?

2) On page 4, you state, “The holding or retention of snow melt and stormwater runoff does not remove chloride.” Since the receiving streams exceed 500 mg/L occasionally when stormwater flows into the receiving stream, wouldn’t stormwater that passes through a retention basin lessen the amount of chloride getting to the stream during the streams’ peak chloride concentration?

3) On page 4, you state, “As evidenced above, channeling snow melt and stormwater from working areas for collection is technically infeasible and economically unreasonable, ...”

- a) Is this the case for all cases?
 - b) Do other facilities have working areas that slope away from the working area?
 - c) Your conclusion seems to apply to all cases; shouldn't it be based on a site-specific analysis?
- 4) Could you please read #16 from the Agency's proposed BMPs. What is required by BMP #16?
- 5) In Exhibits 3 and 4, you calculate the amount of water that would need to be collected and disposed of.
- a) Is this required of BMP #16?
 - b) Could the water collected be used for pre-wetting or used for brine make-up water?
 - c) Would the use of berms to keep 'offsite' waters from getting onto the working area?
 - d) Would berms be more cost effective?
 - e) Have you amortized the costs for a 30-year life of the facility?

WHEREFORE, Illinois EPA respectfully submits its Pre-filed questions.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

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

Date: February 13, 2020
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

CERTIFICATE OF SERVICE

I, STEFANIE N. DIERS, Assistant Counsel for the Illinois EPA, herein certifies that she has served a copy of the foregoing NOTICE OF FILING and PRE-FILED QUESTIONS, upon persons listed on the Service List, by sending an email from my email account (Stefanie.diers@illinois.gov) to the email addresses designated below with the following attached as a PDF document in an e-mail transmission on or before 5:00 pm on February 13, 2020.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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

DATED: February 13, 2020

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