

US EPA ARCHIVE DOCUMENT

August 7, 2000

Mr. Matthew Gluckman
U.S. Environmental Protection Agency
77 W. Jackson
Chicago, Illinois 60604

Mr. Chad Carbone
U.S. Environmental Protection Agency
Room 1027 WT (1802)
1200 Pennsylvania Avenue. NW
Washington, D.C. 20460

Re: Comments on Draft Final Project Agreement for the MWRDGC

Dear Mr. Gluckman and Mr. Carbone:

Citizens for a Better Environment supports the goals of the Draft Final Project Agreement for the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC), Illinois Environmental Protection Agency (IEPA), U.S. Environmental Protection Agency (USEPA) Project XL which was public noticed in the July 24, 2000 Federal Register. As a stakeholder that reviewed and commented on several drafts of this reinvention proposal, we are pleased to state that we believe the project has merit because it does, in deed, offer the potential for producing the superior environmental results that we often find lacking in such proposals.

At the same time, CBE believes it important to reiterate its concern **B** expressed so often during the stakeholder process **B** about this project going forward before the many outstanding issues relating to the MWRDGC's NPDES permits are resolved. Its ultimate success depends on the public's belief that the three project partners **B** USEPA,

IEPA and the MWRDGC **B** can accomplish its goals. However, for some eight years, these three agencies have not been able to agree on new NPDES permits for the vast majority of the District-s facilities.

As a result, the MWRDGC currently has among the oldest, most out-of-date permits anywhere in USEPA Region V or the State of Illinois. Additionally, there are serious questions about whether the partners have assured that the District-s operations reflect the latest USEPA and IEPA requirements for other similar agencies, particularly with regard to disinfection, toxic substances and combined sewer overflows.

The public has been assured from the outset that reinvention pilots will build on baseline regulatory programs that are being implemented in a timely and effective manner. Yet, the very partners who will be responsible for ensuring implementation of this Project XL have failed in their ability to carry out one of their most important responsibilities under the Clean Water Act in either a timely or effective manner.

The District-s permits will be the subject of hearings that are scheduled later this month. Until the outstanding permit issues are satisfactorily resolved and the permits reissued, CBE believes that the public will be unable to have confidence in the three partners to effectively manage this reinvention project.

Thus, we strongly urge that the USEPA either defer approving this FPA until the current draft permits are finalized, or that it approve the FPA conditionally, with the caveat that the project cannot be implemented until the District-s permits are updated and reissued. We do not believe that such a delay will substantially hinder the project-s goals.

Sincerely,

Joanna Hoelscher
Policy Analyst

Cc: Richard Sustich, MWRDGC