

US EPA ARCHIVE DOCUMENT

Ms. Joanna Hoelscher  
Citizens for a Better Environment  
407 S. Dearborn Ave. Suite 1775  
Chicago, IL 60605

Re: Comments on Draft Final Project Agreement for the MWRDGC XL Project

Dear Ms. Hoelscher:

This letter is in response to your August 7, 2000, comments on the draft Final Project Agreement (FPA) for the Metropolitan Water Reclamation District of Greater Chicago's (District) XL Project, which was public noticed in the Federal Register on July 24, 2000. Your comments indicate that while you believe the project has merit due to its potential for producing superior environmental results, you remain concerned with the project going forward prior to the resolution of outstanding issues relating to the Illinois Environmental Protection Agency's (IEPA) reissuance of several of the District's National Pollutant Discharge Elimination System (NPDES) permits.

As my staff explained to you during the stakeholder process, as well as on August 21, 2000, issues regarding the reissuance of the District's NPDES permits are in the process of being addressed in another forum. As you know, a hearing was held on several of these permits in August 2000, after which the IEPA will consider comments provided in preparing to reissue the permits.

In addition, the District's XL Project does not affect any of the issues being raised in the current proceedings on permit reissuance, nor do the permit issues or their resolution have a foreseeable affect on how the Project will be implemented. As was explained in previous discussions, implementation of the District's Pretreatment Program throughout its jurisdiction is required independent of the reissuance status of any one of its NPDES permits for any of its wastewater treatment plants. Either of the District's recently reissued permits can be modified to incorporate the program as revised to reflect the FPA. Further, while the other permits have expired, the District is in compliance with existing permit requirements.

Your letter also expressed concern that the public's confidence in the ability of the respective Agencies to reach agreement on the District's permits is important prior to the Project moving

forward. We agree that the parties need to continue to work together and with other stakeholders through the permitting process to resolve all outstanding issues as expeditiously as possible, and we are committed to doing so. We also believe, however, that the public is best served by pursuing partnerships and cooperative approaches to achieve greater environmental protection wherever possible. There would be no basis, either under the Project XL criteria, or as a practical matter, for delaying implementation of the project where currently effective implementation mechanisms exist, and where there is a great potential for producing superior environmental results.

Thus, while we plan on finalizing the FPA as scheduled, we believe the parties and mechanisms involved in this XL project will provide the means to revisit the concerns you have raised in the future if it appears that implementation of the Project may adversely affect the NPDES permitting process.

We appreciate your continued interest in the District's XL Project and thank you for your constructive comments.

Sincerely,

Francis X. Lyons,  
Regional Administrator

cc: Roger Kanerva, IEPA  
Richard Sustich, MWRDGC

bcc: David Ullrich  
Ken Westlake  
Phillipa Cannon, OPA  
Jo-Lynn Traub  
Timothy Henry  
Rebecca Harvey  
Joan Tanaka, B-19J  
Susan Perdomo, C-14J  
Chad Carbone, 1802  
Brian Frazer, 4303  
Linda Martin, IEPA