

DUPAGE MAYORS AND MANAGERS CONFERENCE
an association of municipalities representing 1,000,000 people

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Oak Brook, Illinois 60523
(630) 571-0480
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Founded June 19, 1962

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Daniel Injerd, Chief
Illinois Department of Natural Resources (IDNR)
Office of Water Resources
Michael A. Bilandic Building
160 N. LaSalle St., Suite S-703
Chicago, IL 60601

Re: DMMC Comments – Proposed Rule Changes for Lake Michigan Water Allocation

Dear Mr. Injerd:

May 31, 2013

Representatives of DuPage Mayors and Managers Conference (DMMC) attended your May 14 meeting on proposed changes to the rules governing Lake Michigan Water Allocation. Thank you for the overview and background information that you provided.

In light of feedback from IDNR presentations throughout the region, and comments and questions from numerous DuPage municipalities during the public comment period, DMMC offers the following recommendation for a second public comment period:

Given the wide range of comments from both system owners/operators and planning groups on the initial draft of the proposed changes from IDNR, DMMC respectfully requests that IDNR provide permittees with a comment / response document that responds to the comments submitted, and a revised draft of the proposed rule changes, once the rules have been revised by IDNR. Further, we request that IDNR provide a second public comment period before the draft is forwarded to the Illinois Joint Committee on Administrative Rules to begin the rule making process.

Thank you again for your detailed presentations and responses. Particularly helpful to DMMC and our member municipalities are the many clarifications that your office has provided on multiple questions, such as underscoring that no permit fees are being considered as a part of this process, as well as explaining that any compliance plans would be cooperative, long-term efforts between the permittee and IDNR that are intended to account for local constraints, without the threat of punitive action.

Should you have any questions regarding our comments, please feel free to contact me or Transportation and Planning Director Tam Kutzmark. Thank you again for this opportunity.

Best Regards,

Mark Baloga, Executive Director
DuPage Mayors and Managers Conference

Cc: John Spatz, General Manager, DuPage Water Commission
Tom Cuculich, Chief of Staff, DuPage County



May 29th 2013

Daniel Injerd
 Illinois Department of Natural Resources
 Office of Water Resources
 Michael A Bilandic Building
 160 N LaSalle Street, Suite S-703
 Chicago, IL 60601

Dear Mr. Injerd,

Re: Proposed Rule Changes to Lake Michigan Water Allocation

I am writing in response to the proposed changes to the Village's Lake Michigan Water Allocation, and I understand that the IDNR are accepting review comments from affected municipalities up to May 31st 2013.

The Village of Glendale Heights offers the following comments regarding the proposed changes:

1. Unavoidable Leakage

Regardless of the age or size of the system, all distributions systems suffer unavoidable leakage. Currently this loss is reflected in the IDNR calculation which is expressed in terms of length, and age of the system. The Village's system of approximately 73 miles, some of which was built in the 1950's and therefore experiences unavoidable leakage. In the last 10 years, through the LMO-2 audits, the Village reported the following:

Year	Total Unaccounted Flow	Max. Unavoidable Leakage	% of Total Unaccounted Flow without Unavoidable Leakage %
2012	5.93%	4.52%	10.45%
2011	6.4%	4.57%	10.97%
2010	4.8%	4.52%	9.32%
2009	10.6%	4.33%	14.93%
2008	7.81%	4.20%	12.01%
2007	2.66%	4.22%	6.88%
2006	3.81%	4.20%	8.01%
2005	2.24%	3.92%	6.16%
2004	1.54%	4.05%	5.59%
2003	2.64%	3.92%	6.56%
Average	4.84%	4.25%	9.09%

As you can see, if these new proposals are implemented, specifically the elimination of the maximum unavoidable leakage due to the distribution's age and length, the Village would be out of compliance with the 8% maximum allowable unaccounted for flows, as per the Village's Lake Michigan Allocation Permit, 6 times out of the last 10 years. With the unavoidable leakage permitted in the LMO-2 audit, the Village was in full compliance.

I would also advise you that even with the Village's best efforts such as replacing water mains and an aggressive leak detection survey, the maximum unavoidable leakage average is 4.25%, and this trend is likely to prevail, as the distribution system continues to age. By eliminating the unavoidable leakage reported in the LMO-2 Audit, will likely result in the Village not being able to comply with the Lake Michigan Allocation Permit, and is a serious concern to the Village Board, in terms of penalization of fines and an unrealistic compliance program.

The only way to decrease the effect of unavoidable leakage is by replacement/rehabilitation. Although the Village of Glendale Heights is currently executing a limited mains replacement program, it would take years and extensive expenditure to replace the numerous miles of old ductile iron pipe. Abruptly eliminating unavoidable leakage from the Audit is unrealistic, given the proposed criteria and timeframe.

I would also add that in these current economic times, it will ultimately be a cost that is transferred to the Village residents through significant increased water rates to accommodate an aggressive capital improvement program. As the Village is responsible for all infrastructure serving the public, including roads, storm water sewers, street lighting, sanitary sewers and wastewater treatment plant, the Village's water distribution systems management and improvements needs to be considered carefully and in conjunction with these other assets, and remain within the Village's control.

2. Conservation Practices

The Village currently implements an odd/even number address water usage, during the months of May 1st through to September 30th, with outdoor water usage restricted between the hours of 6:00am to 10:00am and 6:00pm to 10:00pm.

I thank you in providing me the opportunity to comment on the proposed changes, and would ask you to consider the issues I have raised in this letter.

Yours Sincerely,



Rachael Kaplan
Public Works Director

cc: Mayor Jackson
Raquel Becerra, Village Administrator
Jeff McCumber, Utilities Dvn Supervisor

City of Hickory Hills
Public Works Department
7700 West 98th Street
Hickory Hills, IL 60457
708/ 598-7855

May 24, 2013

IDNR LAKE MICHIGAN MANAGEMENT SECTION
Division of Water Resources Mgmt
Office of Water Resources

Att: Mr. Daniel Injerd Tel. 312/ 793-5746 Fax 312/ 793-5968
Email: dan.injerd@illinois.gov

RE: Proposed Rule Change for "Unaccounted-for-Flow"

Sir:

It was my pleasure to attend one of the three regional meetings for Public Comment on proposed changes to Lake Michigan Water Allocation Rules and Regulations. The meeting was held on May 15 in East Hazel Crest's at the South Suburban Mayor and Managers (SSMM) office

The meeting was very informative as to the history of allocation and the need to conserve water for growing population. It is necessary that towns remain within the historic water loss ratio of eight (8%) percent (Ratio) for water purchased verses metered water delivered.

IDNR currently proposes to "eliminate the unaccounted-for-flow" which is a credit to metered water depending upon the age of the existing water system and types of joints used in the system. *— no, the MUL*

A slide presentation at the meeting depicted currently forty (40) towns are already out of compliance with the 8% ratio and have been for some time. Proposed rule change would add one (100) hundred additional towns to the list.

You also related that non-compliant towns would only be required to submit a time-line letter of proposed improvements that could bring their town into compliance.

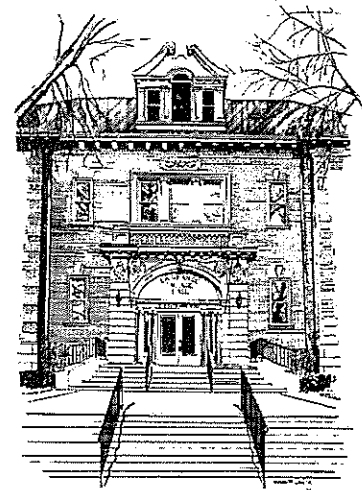
Submission of a time-line letter is a great concept to accomplish goals. But in the hands of a higher authority agency, this letter could be deemed a "Binding Iron Clad Document" with eminent legal ramifications.]

In a similar situation with sanitary sewers, towns within the MWRD's sanitary jurisdiction are struggling with the burden to meet the clear water infiltration into the sanitary sewer system. MWRD is now requiring a maximum allowable sanitary discharge of 150 gallons per capita per day (GPCPD).

Village of La Grange

May 30, 2013

Mr. Daniel Injerd, Chief
Office of Natural Resources Chief, Lake Michigan Management
Illinois Department of Natural Resources
Michael A. Bilandic Building
160 N. LaSalle Street, Suite S-703
Chicago, IL 60601



Subject: Change to Il Admin. Code, Title 17, Part 3730
Village Comments

Dear Mr. Injerd,

The purpose of this letter is to respond to your request for comments related to the proposed changes to the Rules and Regulations for the Allocation of Water from Lake Michigan, Il Admin. Code, Title 17, Part 3730. The Village of La Grange appreciates the opportunity to provide comments, and in general supports water conservation efforts to protect and sustain the source of the Village's water supply. However, we feel the proposed rule changes do not fully take into consideration the unavoidable leakage that occurs from an older water system and recommend that the existing calculation methods for unavoidable leakage be retained.

The Village has implemented numerous programs and spent significant resources to reduce unaccounted for flow, including a complete meter replacement program, leak surveys, water meter testing and water main replacement. Under the proposed changes, should the Village's initiatives towards reducing unaccounted flow not meet the 8% standard for two consecutive periods then the Village would be required to submit a compliance plan. The Village is concerned, given past and continued efforts to reduce the unaccounted for loss percentage, that future measures to address unaccounted for loss such as prescriptive water main replacement would be expensive relative to the existing water loss cost. Improvements required through a compliance plan may not be the best use of limited municipal resources since each municipal system and financial position is unique.

The IDNR also proposes to add the requirement of sub-metering in all multi-family buildings. The Village does not support this change as sub-metering would create operational issues with meter reading and billing, would result in additional plumbing costs, and would require changes to local plumbing codes.

Again, we appreciate the opportunity to provide comments on these proposed changes.

Sincerely,
VILLAGE OF LA GRANGE

Ryan Gillingham, P.E.
Director of Public Works

RECEIVED
JUN 03 2013

OFFICE OF WATER RESOURCES
DIVISION OF RESOURCE MANAGEMENT



Midlothian Public Works
Department
"The Community Pride Built"



Richard Hansen
Superintendent

Alan Meiner
Asst. Superintendent

Joseph Sparrey
Foreman

May 31, 2013

Daniel Injerd
IL Department of Natural Resources
Michael Bilandic Building
160 N. LaSalle St. Suite S-700
Chicago, IL 60601

Dear Mr. Injerd,

Let me start by saying the Village of Midlothian completely endorses the idea of water conservation. Water is our most valuable resource and we are very fortunate to have Lake Michigan as our source water. We promote water conservation in our schools and community at every opportunity. We are in the process of a major Water Infrastructure Rehabilitation Program that we initiated to not only do the right thing, but save the Village substantial dollars for many years to come.

The proposed change to the IDNR *Unavoidable Leakage* calculation is simply not fair. The economic impact of trying to comply with the 8% threshold would be staggering for not only Midlothian, but many suburbs that are having trouble meeting payroll, much less repairing water mains. Every suburb that is served by the City of Chicago is already financing Chicago's Water Main Rehabilitation Program. We have absorbed increases that total over 40% the last 3 years; while most of Chicago is not even metered! While I believe every community should have a Long Term Capital Improvement Program, financing it is always a struggle; especially given the state of the economy. Planned improvements should be a guideline, not a mandate. If the *Unavoidable Leakage* calculation was removed from the Water Audit, I am sure many, many more communities would not be able to meet that 8% figure. Please consider this letter a strong objection to the proposed changes from a community who is being proactive about our water loss at a cost of \$7.5 Million. As we complete our program and breathe a short sigh of relief, it would be hard to imagine that IDNR changed the rules after we started playing the game.

— great

Respectfully,

Rick Hansen
Superintendent of Public Works
Village of Midlothian

XC: Mayor Sharon Rybak, Village of Midlothian
Administrator James Lang, Village of Midlothian
Trustee Jerry Gillis, Village of Midlothian

NORTHWEST MUNICIPAL CONFERENCE

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Des Plaines, Illinois 60016
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www.nwmc-cog.org



*A Regional Association of Illinois
Municipalities and Townships
Representing a Population of Over One Million*

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May 15, 2013

Mr. Daniel Injerd
Illinois Department of Natural Resources
Office of Water Resources
Michael A. Bilandic Building
160 N. LaSalle St., Suite S-703
Chicago, IL 60601

RECEIVED
MAY 20 2013

OFFICE OF WATER RESOURCES
DIVISION OF RESOURCE MANAGEMENT

Dear Mr. Injerd:

The Northwest Municipal Conference (NWMC) appreciates the opportunity to comment on the proposed changes to the Illinois Department of Natural Resources' (IDNR) Rules and Regulations for the Allocation of Water from Lake Michigan. The NWMC is a Council of Governments with forty-three members, thirty-six that use Lake Michigan Water, representing over one million residents in the north and northwest suburbs. The NWMC shares the goals of ensuring well-maintained water infrastructure and encouraging water conservation to responsibly manage Lake Michigan water. Many of our communities have taken proactive measures to address water loss and create efficiencies in water distribution; however, we have strong concerns about the complete elimination of the Maximum Unavoidable Leakage allowance from the Annual Water Use Audit.

By eliminating unavoidable leakage from the annual reporting, over 75 percent of NWMC communities would become noncompliant based on the unaccounted-for-flow standard. While the NWMC recognizes that it may be appropriate to revisit the current methodology for unavoidable leakage and the eight percent standard for unaccounted-for-flow, we do not believe that forcing a large majority of permittees into noncompliance is the appropriate direction to take. The creation and monitoring of compliance plans will place an administrative burden on the IDNR and permittees.

In addition, elimination of the unavoidable leakage methodology forces all permittees into a "one size fits all" approach without regard for the age or characteristics of the water system. The American Water Works Association (AWWA) has recommended against the use of unaccounted-for-flow and unaccounted-for-percentage terminology. If IDNR wants to change the water loss rules for Lake Michigan permittees, we would suggest that the Department pursue industry accepted best practices for performance indicators as outlined in the AWWA Water Audit Method. Through a stakeholder informed process, IDNR could develop rule changes that best determine how to employ performance indicators for non-revenue water and water losses. The Chicago Metropolitan Agency for Planning (CMAP) is currently working with the IDNR to better understand water loss control practices and the

challenges for permittees, which provides an opportunity to examine current rules and consider best practices before proposing rule changes.

The NWMC appreciates this opportunity to comment, and we look forward to remaining involved in the development of proposed rule changes. Please contact Chris Staron (847-296-9200, ext. 31) if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "William D. McLeod".

William D. McLeod

President, Northwest Municipal Conference and
Mayor, Village of Hoffman Estates



Village of Skokie

Public Works Department

9050 Gross Point Road
Skokie, Illinois 60077

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1660 AM Skokie

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Counsel Michael M. Lorge

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Department

Tree City U.S.A. Distinction

May 30, 2013

Mr. Daniel Injerd,
Chief, Lake Michigan Management
Illinois Department of Natural Resources
Office of Water Resources
Michael A. Bilandic Building
160 N. LaSalle St., Suite S-703
Chicago, IL 60601

RE: Proposed Changes to the Rules and Regulations for the
Allocation of Water from Lake Michigan

Dear Mr. Injerd,

With reference to the information regarding changes to the rules and regulations for Lake Michigan allocations and the subsequent effect on unaccounted for water values, multi-family building metering and rate structures, the Village of Skokie would like to submit the following comments:

3730.102 Definitions- "Unaccounted for flow". The Village of Skokie strongly objects to the removal of the Maximum Unavoidable Leakage Table. While we would agree that some modifications could be made, especially on pipe that is less than 20 years old, the elimination of this table appears to be overly onerous. In addition, the Village's Capital Improvement Program includes replacement of problematic water main each year and would not object to removing all mains 20 years old or less from the calculation. The reason we see the removal of this table as a major issue lies in the fact that if we look at our last several LMO-2 reports, if the amount from the Maximum Unavoidable Leakage Table were to be removed, our unaccounted for flow could exceed the 8% limit. Again, we feel that we have a very aggressive program for the reduction of unaccounted for flow and are at a loss as to what other programs we could utilize to replace the values from the table.

3730.307 Conservation Practices and Other Permit Conditions (c)(2)- "Metering of all new construction, including sub-metering in all multi-family buildings". The Village of Skokie would also request that

MAYOR
RICHARD H. HILL
VILLAGE CLERK
MARGIE CLEVELAND

MEMBER OF
THE ILLINOIS MUNICIPAL LEAGUE

VILLAGE OF ROUND LAKE BEACH

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LARRY T. MOUNT
TOM SMITH, SR.
SYLVIA VALADEZ

April 8, 2013

Mr. Daniel Injerd
State of Illinois
Department of Natural Resources
1234 Main St.
Springfield, IL 60124

Subject: Lake Michigan Water Allocation Proposed Rule Changes

Dear Mr. Injerd:

We appreciate your advising us of the proposed rule changes for Lake Michigan water users/allocations. The Village of Round Lake Beach would like to go on record in opposition to one of the proposed changes, specifically the elimination of the allowance for "Unavoidable Leakage" of water in our distribution system.

We believe that the elimination of this element of the LMO calculation will place an undue hardship on many municipal water supplies.

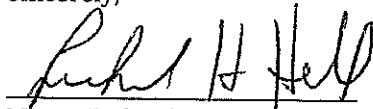
The elimination of these criteria will place us in a position to be unable to meet the 8% unaccounted-for-flow standard. We have an aggressive program to replace aging water mains, along with a program to remove and replace larger sized water meters to ensure accuracy of our high volume consumers. We are doing these things at considerable cost to ensure the least amount of unaccounted water in our system.

In municipal water systems there must be an allowance for the age and the various types of pipe materials that are used.

We request that the provision for calculating unavoidable leakage in a water system be retained unless a suitable method of calculation can be established that accounts for the realities of operating a water system.

Please let us know if you have any questions regarding our comments. We thank you for your time and consideration of our request.

Sincerely,

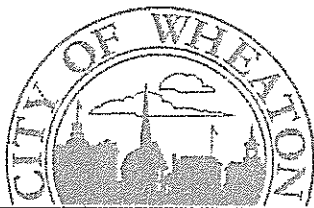


Mayor Richard H. Hill
Village of Round Lake Beach

Cc. Board of Trustees

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APR 25 2013

OFFICE OF WATER RESOURCES
DIVISION OF RESOURCE MANAGEMENT



City of Wheaton, Illinois

City of Wheaton
303 W. Wesley Street
Wheaton, IL 60187-0727
630-260-2000

www.wheaton.il.us

May 16, 2013

Mr. Daniel Injerd
Chief, Lake Michigan Management Section
Illinois Department of Natural Resources, Office of Water Resources
160 North LaSalle Street, Suite S-703
Michael A. Bilandic Building
Chicago, IL 60601

RECEIVED
MAY 16 2013

OFFICE OF WATER RESOURCES
DIVISION OF RESOURCE MANAGEMENT

Re: Proposed Changes to the Rules and Regulations for the Allocation of Lake Michigan Water

Dear Mr. Injerd:

The City of Wheaton appreciates this opportunity to comment on the proposed changes to the Rules and Regulations for the Allocation of Water from Lake Michigan, IL Admin. Code, Title 17, Part 3730, prior to the Department taking action with the Joint Committee on Administrative Rules.

The City of Wheaton strives to efficiently maintain the water works system and practice sound environmental responsibility. We are in support of IDNR's efforts to update the use of Lake Michigan water and to promote conservation. The City of Wheaton maintains several programs that support conservation efforts: Aging water main is replaced under the annual Road, Sewer and Water Rehabilitation Program; All large meters are tested on an annual or semi-annual basis; Residential meters are replaced on a 12-15 year cycle; Construction use of fire hydrants is metered; Fire lines are metered; Leak detection is performed in-house annually; Leaks are repaired as soon as they are discovered; Lawn irrigation restrictions are enforced May 15-Sept. 15. All of these programs contribute to Wheaton's low water loss rate.

Under the proposed changes to Section 3730.307 Subpart b), the unaccounted-for-flow standard of 8% of net annual pumpage would remain, even though the allowance for unavoidable leakage has been eliminated. The majority of permittees would currently exceed the 8% requirement. The proposed changes will not fairly and accurately measure the conservation efforts by the City. I would ask that, if the Department eliminates the unavoidable leakage allowance, that the unaccounted-for-water flow be increased to at least 10%.

The proposed changes to Section 3730.307 c) 2) requiring sub-metering in all multi-family buildings would significantly increase the cost of construction, as well as maintenance of the meters. Based on typical water use in multi-family buildings, this would likely have negligible impact on water conservation.

Please feel free to contact me at (630) 260-2090, should you have any questions or comments.

Sincerely,

Albert L. McMillen
Water Superintendent
City of Wheaton

Wheaton City Hall • 303 W. Wesley Street • Wheaton, IL 60187-0727
630-260-2000 • Fax 630-260-2017 • TDD 630-260-8090

Mayor – Michael J. Gresk • City Manager – Donald Rose

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