

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

**PROPOSED AMENDMENTS TO
GROUNDWATER QUALITY
(35 ILL. ADM. CODE 620)**

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**R2022-018
(Rulemaking - Public Water Supply)**

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **3M's Pre-filed Questions to the Pre-filed Testimony of Stephen P. Risotto of the American Chemistry Council** and a **Certificate of Services**, copies of which are hereby served upon you.

/s/ Sarah L. Lode

Sarah L. Lode

Dated: October 27, 2022

ARENTFOX SCHIFF LLP
Daniel J. Deeb
Alex Garel-Frantzen
Sarah L. Lode
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5600
Dan.Deeb@afslaw.com
Alex.Garel-Frantzen@afslaw.com
Sarah.Lode@afslaw.com

BEVERIDGE & DIAMOND, PC
Nessa Coppinger
1900 N. St. NW
Washington, DC 20036
(202) 789-6066
ncoppinger@bdlaw.com

Attorneys for 3M Company

SERVICE LIST

<p>Don Brown, Assistant Clerk Don.brown@illinois.gov Vanessa Horton, Hearing Officer Venessa.Horton@illinois.gov Chloe Salk - Hearing Officer Chloe.Salk@Illinois.Gov Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601</p>	<p>Sara Terranova, Assistant Counsel sara.terranova@illinois.gov Nicholas E. Kondelis, Assistant Counsel Nicholas.E.Kondelis@Illinois.gov Illinois Environmental Protection Agency 1021 North Grand Avenue East PO Box 19276 Springfield, Illinois 62794</p>
<p>Jorge T. Mihalopoulos, Head Assistant Attorney jorge.mihalopoulos@mwrdd.org Susan T. Morakalis, General Counsel morakaliss@mwrdd.org J. Mark Powell, Senior Attorney PowellJ@mwrdd.org Metropolitan Water Reclamation District of Greater Chicago 100 E. Erie Street Chicago, Illinois 60611</p>	<p>Renee Snow, General Counsel renee.snow@illinois.gov Illinois Department of Natural Resources One Natural Resources Way Springfield, Illinois 62702</p>
<p>Ellen F. O’Laughlin, Senior Assistant Attorney General Ellen.Olaughlin@ilag.gov Jason James, Assistant Attorney General Jason.James@ilag.gov Office of the Illinois Attorney General 69 West Washington Street Suite 1800 Chicago, IL 60602</p>	<p>Melissa S. Brown Melissa.Brown@heplerbroom.com HeplerBroom LLC 4340 Acer Grove Drive Springfield, IL 62711</p>
<p>Fredric P. Andes fandes@btlaw.com Barnes & Thornburg 1 North Wacker Drive Suite 4400 Chicago, IL 60606</p>	<p>Claire A. Manning cmanning@bhslaw.com Anthony D. Schuering aschuering@bhslaw.com Brown, Hay, & Stephens LLP 205 South Fifth Street Suite 700 P.O. Box 2459 Springfield, IL 62705</p>

<p>Daniel Schulson dschulson@bdlaw.com Beveridge & Diamond, PC 1900 N. St. NW Washington, DC 20036</p>	<p>Sandra Carey, HSE Executive sandracarey@imoa.info International Molybdenum Association 454-458 Chiswick High Road London, W4 5TT, United Kingdom</p>
<p>James M. Morphew jmmorphew@sorlinglaw.com Sorling Northrup 1 North Old State Capitol Plaza, Suite 200 P.O. Box 5131 Springfield, IL 62705</p>	<p>Stephen P. Risotto - Senior Director, CPT srisotto@americanchemistry.com Aleacia Chinkhota aleacia_chinkhota@americanchemistry.com American Chemistry Council 700 2nd Street, NE Washington, DC 20002</p>
<p>Joshua R. More Joshua.More@afslaw.com Bina Joshi Bina.Joshi@afslaw.com Sarah L. Lode Sarah.Lode@afslaw.com ArentFox Schiff LLP 233 South Wacker Drive, Suite 7100 Chicago, IL 60606 (312) 258-5600</p>	

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**3M'S PRE-FILED QUESTIONS TO THE PRE-FILED TESTIMONY OF
STEPHEN P. RISOTTO OF THE AMERICAN CHEMISTRY COUNCIL**

1. IEPA chose toxicity values for each PFAS from toxicity assessments conducted by other agencies according to a specific hierarchy. Did IEPA adequately consider the strengths and limitations of the underlying data for these toxicity assessments?

2. IEPA emphasizes relying on the most recent data when selecting toxicity values. Do the most recent studies always represent the most reliable and relevant data?

3. IEPA uses the default relative source contribution of 0.2 for calculating the proposed standards for five of the PFAS. Is the use of this default value appropriate, and if not, why not?

4. IEPA uses the U.S. EPA's HFPO-DA toxicity value. Are there issues with the endpoint selected as the basis for the HFPO-DA toxicity value?

5. The toxicity values that IEPA chose to use for calculating the proposed standards for HFPO-DA, PFBS, PFNA, and PFOS all used database uncertainty factors or modifying factors due to concerns that there is a lack of information regarding whether other effects, such as reproductive and developmental toxicity or immunotoxicity, are observed at lower exposure levels than the critical effects upon which the toxicity values were based. Are these database uncertainty factors appropriate?

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6. The IEPA proposal mentioned both critical effects and adverse effects.
 - a. Are all of the critical effects that form the bases for the toxicity values chosen by IEPA considered adverse effects?
 - b. Are the stated critical effects considered relevant to humans?
 - c. Do you have any concerns with using non-adverse, non-human-relevant effects as the bases for toxicity values used in calculating groundwater standards? If so, what are they?
7. What did the 2019 National Toxicology Program (NTP) 28-day toxicity studies of various PFAS show with respect to the human relevance of the reported effects of these substances?
8. IEPA chose a cancer toxicity value for PFOA from an assessment of PFOA carcinogenicity by OEHHA, which was based on a carcinogenicity study conducted by NTP.
 - a. Are the results of this study reliable?
 - b. Are the tumors observed in this study relevant to humans?
 - c. Is there any evidence to indicate that PFOA is carcinogenic to humans?
9. IEPA's proposal uses the terms "minimum reporting level," "quantification limit," and "method detection limit."
 - a. What is the method detection limit (or MDL)?
 - b. What is a minimum reporting level?
 - c. What is a quantification limit?
10. What is the difference between a method detection limit and a minimum reporting level?
11. What are the method detection limits and minimum reporting levels for the PFAS at issue in the IEPA proposal?

12. Does the accuracy or reliability of a testing method change depending on how close the result is to the method detection limit?

13. Does the accuracy or reliability of a measurement of a substance change depending on how close the result is to the minimum reporting level?

14. Is there a point at which the accuracy or reliability of a measurement of a substance falls below 50%?

15. What testing methods have been approved and validated for use to measure PFAS in drinking water? How about groundwater?

16. Does U.S. EPA's method 537.1 for PFAS in drinking water provide information regarding the accuracy and precision of PFAS measurements for any PFAS at various concentrations?

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 27th day of October, 2022, I have electronically served the attached **3M's Pre-filed Questions to the Pre-filed Testimony of Stephen P. Risotto of the American Chemistry Council** upon the individuals on the attached service list. I further certify that my email address is Sarah.Lode@afslaw.com; the number of pages in the email transmission is 9; and the email transmission took place before 5:00 p.m.

/s/ Sarah L. Lode

Sarah L. Lode

ARENTFOX SCHIFF LLP
Daniel J. Deeb
Alex Garel-Frantzen
Sarah L. Lode
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5600
Dan.Deeb@afslaw.com
Alex.Garel-Frantzen@afslaw.com
Sarah.Lode@afslaw.com

BEVERIDGE & DIAMOND, PC
Nessa Coppinger
1900 N. St. NW
Washington, DC 20036
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ncoppinger@bdlaw.com

Attorneys for 3M Company

SERVICE LIST

<p>Don Brown, Assistant Clerk Don.brown@illinois.gov Vanessa Horton, Hearing Officer Venessa.Horton@illinois.gov Chloe Salk - Hearing Officer Chloe.Salk@Illinois.Gov Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601</p>	<p>Sara Terranova, Assistant Counsel sara.terranova@illinois.gov Nicholas E. Kondelis, Assistant Counsel Nicholas.E.Kondelis@Illinois.gov Illinois Environmental Protection Agency 1021 North Grand Avenue East PO Box 19276 Springfield, Illinois 62794</p>
<p>Jorge T. Mihalopoulos, Head Assistant Attorney jorge.mihalopoulos@mwrdd.org Susan T. Morakalis, General Counsel morakaliss@mwrdd.org J. Mark Powell, Senior Attorney PowellJ@mwrdd.org Metropolitan Water Reclamation District of Greater Chicago 100 E. Erie Street Chicago, Illinois 60611</p>	<p>Renee Snow, General Counsel renee.snow@illinois.gov Illinois Department of Natural Resources One Natural Resources Way Springfield, Illinois 62702</p>
<p>Ellen F. O’Laughlin, Senior Assistant Attorney General Ellen.Olaughlin@ilag.gov Jason James, Assistant Attorney General Jason.James@ilag.gov Office of the Illinois Attorney General 69 West Washington Street Suite 1800 Chicago, IL 60602</p>	<p>Melissa S. Brown Melissa.Brown@heplerbroom.com HeplerBroom LLC 4340 Acer Grove Drive Springfield, IL 62711</p>
<p>Fredric P. Andes fandes@btlaw.com Barnes & Thornburg 1 North Wacker Drive Suite 4400 Chicago, IL 60606</p>	<p>Claire A. Manning cmanning@bhslaw.com Anthony D. Schuering aschuering@bhslaw.com Brown, Hay, & Stephens LLP 205 South Fifth Street Suite 700 P.O. Box 2459 Springfield, IL 62705</p>

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<p>James M. Morphew jmmorphew@sorlinglaw.com Sorling Northrup 1 North Old State Capitol Plaza, Suite 200 P.O. Box 5131 Springfield, IL 62705</p>	<p>Stephen P. Risotto - Senior Director, CPT srisotto@americanchemistry.com Aleacia Chinkhota aleacia_chinkhota@americanchemistry.com American Chemistry Council 700 2nd Street, NE Washington, DC 20002</p>
<p>Joshua R. More Joshua.More@afslaw.com Bina Joshi Bina.Joshi@afslaw.com Sarah L. Lode Sarah.Lode@afslaw.com ArentFox Schiff LLP 233 South Wacker Drive, Suite 7100 Chicago, IL 60606 (312) 258-5600</p>	