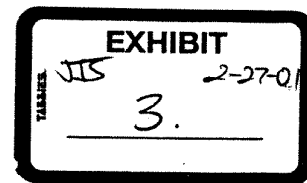


BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS



IN THE MATTER OF: )  
)  
Amendments to 35 Ill. Adm. Code 732; ) R01- 26  
Regulation of Petroleum Leaking ) (Rulemaking - Land)  
Underground Storage Tanks )  
)

TESTIMONY OF GREGORY W. DUNN ON PROPOSED AMENDMENTS TO  
35 ILL. ADM. CODE 732

My name is Gregory W. Dunn. I am currently manager of one of the Site Remediation Program Units of the Bureau of Land of the Illinois Environmental Protection Agency (Agency).

I graduated from Eastern Illinois University in 1986 with a B.S. in Geology and a B.S. in Earth Science. I have been employed with the Agency since September 1986. I was a project manager in the Site Assessment Unit from September 1986 until October 1992. From October 1992 until July 1997, I was a project manager in the Pre-Notice Program, which became the Site Remediation Program in June 1997. From July 1997 until December 1998, I was a project manager in the State Sites Unit, which uses State funds to remediate sites. Since December 1998, I have been manager of one of the Site Remediation Program units. I am registered as a Licensed Professional Geologist in the State of Illinois.

Today I will testify in support of laboratory certification in 35 Ill. Adm. Code 732 (Section 732.106).

**Laboratory Certification:**  
**(Section 732.106)**

In March 1998, the 35 Ill. Adm. Code 186 regulations, "Accreditation of Laboratories for Drinking Water, Wastewater and Hazardous Waste Analyses," were adopted pursuant to Sections 4(n) and 4(o) of the Environmental Protection Act [415 ILCS 5/4(n) and (o)]. These rules establish laboratory standards for data quality that are compliant with the standards of the National Environmental Laboratory Accreditation Program (NELAP). The NELAP is a USEPA operated program that implements standards developed by the National Environmental Laboratory Accreditation Conference (NELAC). The NELAC is a cooperative association of States and Federal Agencies, formed to establish and promote mutually acceptable performance standards for the operation of environmental laboratories. The goal of NELAC is to foster the generation of environmental laboratory data of known and acceptable quality on which to base public health and environmental management decisions. Now that the Part 186 regulations are in place, the Agency believes that it is time to take the lead in ensuring that the standards of data quality intended by subsections 4(n) and (o) of the Act are implemented by requiring their use in Agency remediation programs.

Currently in the Leaking Underground Storage Tank Program, compliance with the standards of data quality objectives is reliant on the professional ability and integrity of the samples collected and the laboratory analyzing the samples. Adoption of a requirement for participation in the Leaking Underground Storage Tank (LUST) Program to use a laboratory accredited under 35 Ill. Adm. Code 186 will further ensure that the

environmental consultant and the Agency will receive analytical data of acceptable and known quality. In turn, both will feel confident that the decisions made from the analytical data are founded on standard, reliable data that is in compliance with the most recent national standards for environmental laboratory data.

To ensure that LUST data analyses are up to NELAP standards, the Agency proposes the following language under Section 732.106: "All quantitative analyses of samples collected on or after July 1, 2002, and utilizing any of the approved test methods identified in 35 Ill. Adm. Code 186.180, shall be completed by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 186. Quantitative analyses not utilizing an accredited laboratory in accordance with Part 186 shall be deemed invalid."

The Agency is proposing July 1, 2002, as the effective date for the requirement of analyses by accredited laboratories to allow laboratories wishing to participate ample time to apply and gain accreditation provided all the requirements of the accreditation are met. The Agency's Division of Laboratories is reviewing all accreditation applications and estimates about six to nine months to get a laboratory from application to accreditation. Currently, seventeen laboratories have applied for SW-846/RCRA accreditation, with more than half of those laboratories located within the State of Illinois. (See Attachment 1).

Under the NELAP requirements, the Illinois Environmental Laboratory Accreditation Program (ELAP) must unconditionally recognize NELAP accreditations issued by another NELAP approved state (i.e. accrediting authority). A laboratory accredited for SW-846/RCRA testing by another state or federal accrediting authority can

become an Illinois ELAP laboratory if the other state or federal accreditation requirements are equal to or exceed Illinois' requirements and the applicable Illinois ELAP fees are paid (Section 186.205(a)(2)). By design, another NELAP accrediting authority's program is equal to Illinois' requirements, and laboratories accredited by such accrediting authorities produce data that is in compliance with the most recent national standards for environmental laboratory data. In addition to Illinois, six states (California, Florida, Kansas, New Jersey, New York, and Utah) have received NELAP Accrediting Authority status for SW-846/RCRA accreditation.

**THIS FILING IS SUBMITTED ON RECYCLED PAPER.**

## ATTACHMENT 1

### Laboratories Accredited for SW-846/RCRA Testing in Illinois

American Technical & Analytical Services, Inc.	Heights, Missouri
Bodycote Industrial Testing, LTD.	St. Louis, Missouri
CT&E Environmental Services, Inc.	Ludington, Michigan
En Chem, Inc.	Green Bay, Wisconsin
Environmental Monitoring and Technologies, Inc.	Morton Grove, Illinois
First Environmental Laboratories, Inc.	Naperville, Illinois
Great Lakes Analytical	Buffalo Grove, Illinois
Heritage Environmental Services, Inc.	Indianapolis, Indiana
Metropolitan Water Reclamation District Greater Chicago	Schaumburg, Illinois
PDC Laboratories, Inc.	Peoria, Illinois
RTI Laboratories, Inc.	Livonia, Michigan
Safety-Kleen	Village, Illinois
Severn-Trent Laboratories, Inc.	University Park, Illinois
Severn-Trent Laboratories, Inc.	Valparaiso, Indiana
Suburban Laboratories, Inc.	Hillside, Illinois
Teklab, Incorporated	Collinsville, Illinois
TestAmerica, Inc.	Bartlett, Illinois