

**Illinois Association of  
Aggregate Producers**

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DEC 20 2004

STATE OF ILLINOIS  
Pollution Control Board

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601

Re: Proposed New and Updated Rules for Measurement and Numerical Sound Emission  
Standards / Amendments to 35 Ill. Adm. Code 901 and 910 / Docket R03-9  
Final Comments

R03-9  
PC#10

Dear Ms. Gunn:

The following final comments are submitted by the Illinois Association of Aggregate Producers (IAAP), in accordance with Hearing Tipsord's November 29, 2004 order entered in the above-referenced rulemaking.

Blasting operations at aggregate mines are regulated by the Illinois Department of Natural Resources (IDNR) in accordance with the Section 6.5 of the Surface Mined-Land Conservation and Reclamation Act (215 ILCS 715/6.5). IDNR has promulgated regulations that subject these blasting operations to air blast or ground vibration monitoring, or both, as necessary to prevent property damage and protect public safety.

Both IDNR and IAAP members employ highly trained seismograph operators to monitor air blasts and ground vibrations at quarries, as required by State law. These personnel use seismographs with a low frequency response of 2.0 Hertz. As outlined in Dane Tittman's November 4, 2005 testimony, 2.0 Hertz instruments are the industry standard for monitoring quarry blasting. (Hearing Transcript, pp.16, 40-41). Mr. Tittman also testified that the 133 dB maximum air over pressure limit in IDNR's rules is a limit employed nationally to limit air blast damage from the detonation of explosives. (Hearing Transcript, pp.16-17, 39-40, 42).

IDNR regulations do an excellent job protecting the general public from the impacts of air over pressure that result from quarry blasting. Therefore, the IAAP respectfully submits that the Illinois Pollution Control Board's rules should be amended to defer to IDNR's enforcement of the Illinois aggregates industry in conformance with Section 6.5 of the Surface Mined-Land Conservation and Reclamation Act.

In the event that the Board elects to begin regulating quarry blasting operations, the IAAP submits that Section 901.109(b) of the pending rules should be amended to read as follows:

Section 901.109 Highly-Impulsive Sound From Explosive Blasting

- b) Compliance with outdoor peak sound pressure level limits in the following table shall constitute prima facie level limits of this rule when measured on such receiving Class A or B land.

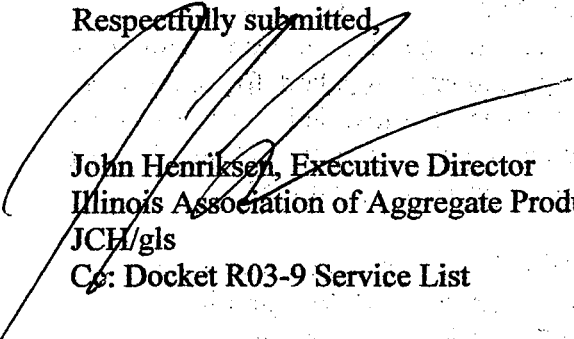
**Equivalent Maximum Sound Pressure Level (Peak) Limits in Decibels**

Lower Frequency Limit of Measuring System for Flat Response, a Variation from Linear Response of $\pm$ or - 3dB (Hz)	Receiving Class A Land (dB)	Receiving Class B Land (dB)
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<del><math>\leq 0.1</math></del>	135	140
$\leq 2.0$ but greater than 0.1	<del>132</del> 133	<del>137</del> 133
<del><math>\leq 6.0</math> but greater than 2.0</del>	130	135

These proposed amendments eliminate the references to 0.1 instruments (laboratory-grade monitoring devices not used in the field) and 6.0 instruments (monitoring devices no longer manufactured). In addition, these proposed amendments bring the air blast levels at both Class A and Class B land to 133 dB, the limit employed nationwide to limit air over pressure from the detonation of explosives. In short, these amendments will ensure that our industry is subjected to a single regulatory standard, whether our members are monitoring by IDNR, the Board or by interested citizens.

Respectfully submitted,

  
John Henriksen, Executive Director  
Illinois Association of Aggregate Producers  
JCH/gls  
Cc: Docket R03-9 Service List