

## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SANGAMON VALLEY FARM SUPPLY, )  
Petitioner )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and, )  
VILLAGE OF SAYBROOK , )  
Respondents. )

PCB No. 2006-043  
(Petition for Water Well  
Setback Exception)

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APR 24 2006

STATE OF ILLINOIS  
Pollution Control Board

### ILLINOIS EPA RESPONSE TO AMENDED PETITION FOR WATER WELL SETBACK EXCEPTION

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by Joey Logan-Wilkey, one of its attorneys, and respectfully submits its RESPONSE TO THE AMENDED PETITION FOR A WATER WELL SETBACK EXCEPTION, ("Response"). This Response is in reply to the Amended Petition filed with the Illinois Pollution Control Board ("Board") on March 31, 2006, by Petitioner SANGAMON VALLEY FARM SUPPLY, ("SVFS") requesting a Water Well Setback Exception pursuant to Section 14.2 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/14.2 (2002).

### INTRODUCTION

1. Section 14.2(c) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/14.2(c) (2004), sets forth the required information that must be included in an exception, and the demonstrations that a petitioner is required to make in order for the Illinois Pollution Control

Board (“Board”) to grant an exception. Section 14.2(c) requires the petitioner to file a petition with both the Board and the Illinois EPA. The petitioner is also required to show proof that all water supplies affected by the proposed exception have been notified and provided a copy of the petition. The petition must also contain a general description of the potential impacts of the potential source or potential route on groundwater and the potable well, and an explanation of the applicable technology that will be used. The Act states that the Board shall grant an exception upon presentation of adequate proof that: compliance with the setback zone would pose an arbitrary and unreasonable hardship; petitioner will use best available technology economically achievable to minimize the likelihood of contamination of the well; the maximum feasible setback zone will be utilized; and the location of the potential source or route does not constitute a significant hazard to the potable water supply well.

### **PETITION**

2. A petition requesting an exception to the 400 foot minimum setback zone of Saybrook wells #1, #2 and #3 has been filed with the Board and the Illinois EPA.

### **NOTIFICATION OF WATER SUPPLY**

3. A Proof of Service affidavit was included with the petition stating that the Respondent VILLAGE OF SAYBROOK (“Saybrook”) water supply, the only affected community water supply, has been provided with a copy of the petition.

## **GENERAL DESCRIPTION OF POTENTIAL IMPACTS**

4. The petition states that ORC injection will not harm the community water supply.

Previous injections of ORC with no apparent adverse affects on the community water supply, support this contention.

## **BEST AVAILABLE TECHNOLOGY**

5. This petition is for the purpose of allowing the installation of potential routes within the minimum setback zone of community water supply wells. Therefore, the best available technology (BAT) that must be addressed is the technology used to minimize the risks posed by the injection wells. The petition contains a commitment to properly seal each injection point and a monitoring plan to assure a continual safe source of water for the community wells.

## **ARBITRARY AND UNREASONABLE HARDSHIP**

6. The petition provides an economic analysis of the cost of ORC injection versus several other remediation methods. It appears from the analysis, that additional ORC injection, combined with the soil removal that has already been completed is the fastest and most economical way to remove remaining petroleum hydrocarbons from the shallow aquifer.

## **MAXIMUM FEASIBLE SETBACK**

7. It appears that the largest practical distance between the remedial injection wells and the community water supply well has been maintained, while assuring that the petroleum hydrocarbons will be fully remediated within the minimum setback zone.

### **SIGNIFICANT HAZARD**

8. The petroleum hydrocarbons already in the aquifer pose a greater threat to public health and the environment than the remedial chemicals being applied. However, allowing the injection of potential contaminants within the minimum setback zone of a community water supply well must be coupled with safe guards that assure the risks posed by the injection, whether direct or collateral, are outweighed by the benefit of remediation. The SVFS petition demonstrates these safe guards will be taken.

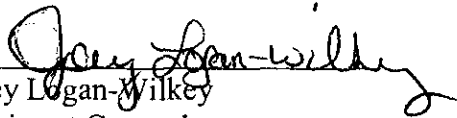
### **RECOMMENDATION**

9. The Illinois EPA supports using injected ORC within the minimum setback zone of Saybrook wells #1, #2 and #3.

Dated: April 20, 2006  
ILLINOIS EPA  
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217/782-5544

Respectfully submitted,  
ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:

  
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Assistant Counsel  
Division of Legal Counsel

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**