

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 17 2011  
STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PROPOSED AMENDMENTS TO )  
CLEAN CONSTRUCTION OR DEMOLITION ) R12-9  
DEBRIS FILL OPERATIONS (CCDD): ) (Rulemaking – Land)  
PROPOSED AMENDMENTS TO 35 Ill. )  
Adm. Code 1100) )

NOTICE OF FILING

2 ORIGINAL

John T. Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 W. Randolph  
Chicago, Illinois 60601

Mitchell Cohen  
Chief Legal Counsel  
Illinois Dept. of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271

Matthew J. Dunn, Chief  
Environmental Enforcement/Asbestos  
Litigation Division  
Illinois Attorney General's Office  
69 West Washington St., 18<sup>th</sup> Floor  
Chicago, Illinois 60602

Marie E. Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Illinois Environmental Protection Agency's Pre-Filed Questions for John E. Hock, P.E., and James E. Huff, P.E., copies of which are herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Mark Wight  
Mark Wight  
Assistant Counsel

DATE: October 14, 2011

1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544  
Mark.Wight@illinois.gov

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R12-9  
(Rulemaking – Land)

ORIGINAL

ILLINOIS EPA'S PRE-FILED QUESTIONS FOR JOHN E. HOCK, P.E., AND JAMES E. HUFF, P.E.

The Illinois Environmental Protection Agency hereby files in accordance with the Hearing Officer Order issued on August 15, 2011, its questions for John E. Hock, P.E., of Civil & Environmental Consultants, Inc. (CEC) representing the Illinois Association of Aggregate Producers, and James E. Huff, P.E., of Huff & Huff, Inc., representing a number of governmental authorities responsible for transportation infrastructure.

**Questions for John E. Hock, P.E., of Civil & Environmental Consultants, Inc. (CEC) representing the Illinois Association of Aggregate Producers:**

1. On page three of his testimony, Mr. Hock states that CEC has performed or reviewed data from investigations of multiple CCDD fill sites based on 44 samples collected from 44 borings.
  - a. From how many sites were borings made and samples taken for analysis?
  - b. What are the names of the sites where boring samples were taken and analyzed?
  - c. Where are the sites located?
  - d. What type of excavation was each site?
  - e. What types of materials were placed in each site?
  - f. When did each site last accept fill materials?
  - g. For each site, roughly what percent of the fill material was soil? What percent was CCDD? What percent were other materials?

- h. When were the borings made?
  - i. Were the samples from the borings selected and submitted for analysis at the time the borings were made?
  - j. What sample collection methodology was used?
  - k. Why were these investigations conducted?
2. On page seven of his testimony, Mr. Hock states that if groundwater monitoring is required, it should be performed only for an “indicator list” of metals, PNAs, and “any other site specific contaminants of concern.”

Please explain how “other site-specific contaminants of concern” would be identified and incorporated into a site’s groundwater monitoring requirements.

3. On page seven of his testimony, Mr. Hock references Attachment 2 to his testimony, a letter from First Environmental Laboratories, Inc. concerning pH values for 8500 soil and non-soil solid samples analyzed between January 2006 and September 2011.
- a. What is the ratio between soil and non-soil solid samples within this database?
  - b. What is the geographic range from which the soil samples were taken?
  - c. What is the distribution of soil samples within that geographic range?

**Questions for James E. Huff, P.E., of Huff & Huff, Inc., representing a number of governmental authorities responsible for transportation infrastructure:**

1. Mr. Huff’s testimony under the heading Groundwater Impact Data from a CCDD Site (pages four through seven) discusses data from a road improvement project in Kane County.
- a. What is the name of this site and where exactly is it located?
  - b. What type of excavation was this site?
  - c. What types of materials that were placed in the site?
  - d. When did this site last accept fill materials?
  - e. Roughly what percent of the fill material accepted at the site was soil? What percent was CCDD? What percent were other materials?
  - f. Why was the investigation conducted?

- g. What sample collection methodology was used?
  - h. One sampling point was identified as an outside spigot, “most likely” prior to treatment by a water softener.
    - i) How many samples were collected after the water had been treated and what were these treatments?
    - ii) How many samples were collected using the well sampling techniques typically employed in performing groundwater monitoring at a landfill?
  - i. How deep, on average, are the 34 residential wells? How deep is the fill site?
2. Mr. Huff’s testimony on page nine proposes that the photo-ionization detector (PID) screening use a value of 5 ppm as the threshold for lead rejection instead of a reading in excess of background levels as is currently required. What is the basis for selecting 5 ppm? How was this number derived?
3. Mr. Huff’s testimony on page ten discusses the use of painted CCDD as fill material. Do the changes that IDOT has proposed in the Proposed Amendment and Prefiled Testimony of Steven Gobelman (Electronic Filing – Received, Clerk’s Office, 10/07/2100), fully address these concerns? If not, what are the remaining concerns?

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON )

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Pollution Control Board

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the Illinois Environmental Protection Agency's attached Pre-Filed Questions for John E. Hock, P.E., and James E. Huff, P.E. upon the persons to whom they are directed by placing a copy of each in an envelope addressed to:

John T. Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601  
**(UPS – Next Day)**

Mitchell Cohen  
Chief Legal Counsel  
Illinois Dept. of Natural Resources  
One Natural Resources Way  
Springfield, Illinois 62702-1271  
**(First Class Mail)**

ORIGINAL

Matthew J. Dunn, Chief  
Environmental Enforcement/Asbestos  
Litigation Division  
Illinois Attorney General's Office  
69 West Washington St., 18<sup>th</sup> Floor  
Chicago, Illinois 60602  
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Marie E. Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
**(First Class Mail)**

**(Attached Service List – First Class Mail)**

and sending or mailing them, as applicable, from Springfield, Illinois on October 14, 2011, with sufficient postage affixed as indicated above.

Kimberly Gray

SUBSCRIBED AND SWORN TO BEFORE ME

This 14<sup>th</sup> day of October, 2011.

Dawn A. Hollis  
Notary Public



## SERVICE LIST

<p>Claire A. Manning Brown, Hay &amp; Stephens LLP 700 First Mercantile Bank Building 205 South Fifth St., P.O. Box 2459 Springfield, IL 62705-2459</p>	<p>John Henrickson, Executive Director Illinois Association of Aggregate Producers 1115 S. Second Street Springfield, IL 62704</p>
<p>Steven Gobelman Geologic/Waste Assessment Specialist Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764</p>	<p>Tiffany Chappell City of Chicago Mayor's Office of Intergovernmental Affairs 121 N. LaSalle Street City Hall, Room 406 Chicago, IL 60602</p>
<p>Stephen Sylvester Assistant Attorney General Illinois Attorney General's Office 69 West Washington St., 18<sup>th</sup> Floor Chicago, IL 60602</p>	<p>James M. Morpew Sorling, Northrup, Hanna, Cullen &amp; Cochran, Ltd. Suite 800 Illinois Building 607 East Adams, P.O. Box 5131 Springfield, IL 62705</p>
<p>James Huff, Vice President Huff &amp; Huff, Inc. 915 Harger Road, Suite 330 Oak Brook, IL 60523</p>	<p>Greg Wilcox, Executive Director Land Reclamation &amp; Recycling Association 2250 Southwind Blvd. Bartlett, IL 60103</p>
<p>Brian Lansu, Attorney Land Reclamation &amp; Recycling Association 2250 Southwind Blvd. Bartlett, IL 60103</p>	<p>Dennis G. Walsh Klein, Thorpe and Jenkins, Ltd. 20 North Wacker Drive Suite 1660 Chicago, IL 60606-2903</p>
<p>Gregory T. Smith Klein, Thorpe and Jenkins, Ltd. 20 North Wacker Drive Suite 1660 Chicago, IL 60606-2903</p>	<p>Dennis M. Wilt, Vice President &amp; Area Gen Waste Management of Illinois 720 East Butterfield Road Lombard, IL 60148</p>
<p>Michelle A. Gale Waste Management of Illinois 720 East Butterfield Road Lombard, IL 60148</p>	