

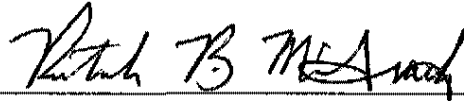
BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

VILLAGE OF CARLOCK,)	
)	
Petitioner)	
)	
v.)	PCB No. 2015-110
)	(Water well Setback Exception)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent)	

PETITIONER'S ANSWERS TO HEARING QUESTIONS

NOW COMES Petitioner, Village of Carlock, by and through its attorney Patrick B. McGrath of McGrath Law Office, P.C., and hereby respectfully submits its Answers to Hearing Questions, as set forth on the attached pages.

Respectfully Submitted,



Patrick B. McGrath
Attorney for the Village of Carlock

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CERTIFICATE OF SERVICE

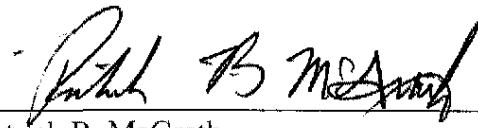
I, Patrick B. McGrath, certify that I have served the attached Petitioner's Answers to Hearing Questions by first class mail on this 14th day of July, 2015, upon the following persons:

Illinois Environmental Protection Agency
Division of Legal Counsel #21
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**PCB 15-110 Village of Carlock
Water Well Setback Exception**

**HEARING QUESTIONS
July 14, 2015**

1. In its May 29, 2015 response to question 2, the Village cites 77 Ill. Adm. Code 905.100(j), which includes a requirement that “[t]otal daily flows from the wastewater source into the [aerobic treatment] plant are at least 75% of the rated hydraulic capacity and do not exceed the rated hydraulic capacity of the plant.” Under 77 Ill. Adm. Code 905.100(d) addressing the sizing of aerobic treatment plants, the minimum rated treatment capacity is 400 gallons per day for a one- or two-bedroom residential property. Based on an estimated daily flow of 85 gpd, the Village states the total flow from the proposed septic system would be “far less than the 75% required of the rated capacity of the aerobic treatment unit.” Please clarify whether the Village concludes that total flow from the proposed septic system is simply not enough to meet the minimum requirements to sustain an aerobic treatment plant under 77 Ill. Adm. Code 905.100.

ANSWER - With an estimated daily wastewater flow of 85 gpd (gallons per day), the wastewater flow would not be adequate to maintain the 75% required of the rated capacity of the aerobic treatment unit. With a minimum rated treatment capacity for a residential aerobic unit sized for 400 gpd, the percentage of total flow from the proposed Septic System would be 21.3% which is far less than the 75% required of the rated capacity of the aerobic treatment unit.

2. In its response to question 3, the Village cites Section 28.63 of the McLean County health and sanitation regulations, which requires installation of the septic system by a licensed installer. Please comment whether that requirement should be a condition of granting the proposed exception. If so, please propose language for such a condition.

ANSWER – The Village of Carlock septic systems installation must be completed by a licensed installer in order to comply with the requirements of the McLean County Health Department, regardless of any condition placed on the award of this setback exemption. Therefore the Village of Carlock does not object to a condition being placed on the award of the requested setback exemption. The Village of Carlock proposes the following language for such a condition:

“As a condition of the award of the requested setback exemption, the septic system at issue in this proceeding shall be installed by a septic system installer duly licensed by the McLean County Health Department.”

3. In its response to question 6, the Village states that a condition requiring annual pumping of the septic tank component of the septic system “is acceptable to the Village.” Please propose language for such a condition.

ANSWER – The Village of Carlock proposes the following language for such a condition:

“As a condition of the award of the requested setback exemption, the Village of Carlock shall, on an annual or more frequent basis, have the septic tank component of the septic system at issue in this proceeding pumped by a septic system pumper licensed by the McLean County Health Department.”

4. In its response to question 7 regarding flow estimates, the Village provides estimated discharges to the proposed septic system. Please comment on whether those estimates are based on 77 Ill. Adm. Code 905.Illustration A, Quantity of Sewage Flows.

ANSWER - The calculations used to arrive at the estimated flow of 85 gpd were based on the quantities of sewage flows as presented in 77 Ill. Adm. Code 905, Illustration A, Quantity of Sewage Flows. The sewage discharged to the proposed Septic System was estimated at 85 gpd based on the following calculations:

- Water Plant (2 people @ 20 gpd = 40 gpd)
- Maintenance Shed Bathroom (3 people @ 15 gpd = 45 gpd)

The Water Plant usage of 20 gpd per person is based on the flow for factories with toilets, no showers. The Maintenance Shed bathroom usage of 15 gpd per person is based on the flow for an office and day workers as presented in Illustration A.

5. In its response to question 9, the Village states that the original septic tank and seepage field were “removed/abandoned in place.” Please indicate whether the County provided a certificate of closure or other similar document on completion of the removal/abandonment.

ANSWER – The McLean County Health Department does not issue certificates of closure or other similar documents on completion of the removal or abandonment of septic tanks and seepage fields. The McLean County Health Department does not permit the removal or abandonment of septic tanks or seepage fields.

6. The Village’s petition requests an exception to the 200-foot setback requirement in Section 14.2(a) of the Environmental Protection Act (Act) as it pertains to the minimum separation between the proposed septic system (as a new potential route) and the existing community water supply wells. Pet. at 1. Section 14.2(a) also establishes a setback from any “other potable water supply well.” 415 ILCS 5/14.2(a) (2014). The Village states that the two existing community water supply wells “are the only wells potentially impacted by the construction of the Septic System.” Pet. at 1-2. Please address how the Village determined that there are no other potable water supply wells within 200 feet of the proposed septic system.

ANSWER - Mr. Richard Alwood, the previous Water Superintendent, preformed a site survey of the area to confirm there were no other water wells in the 200 foot radius of the proposed Septic System.

7. In addition to the septic system, the Village is also constructing a new water treatment building and associated facilities which will be located within the 200-foot setback zone. Pet. at 1, Exh. A. Section 3.345 of the Act defines a “potential primary source” in part as one that “stores or accumulates at any time more than 75,000 pound above ground, or more than 7,500 pounds below ground, of any hazardous substances.” 415 ILCS 5/3.345(4) (2014). Section 3.355 of the Act defines a “potential secondary source” in part as one that “(2) stores or accumulates at any time more than 25,000 but not more than 75,000 pounds above ground, or more than 2,500 but not more than 7,500 pounds below ground, of any hazardous substances; or (3) stores or accumulates at any time more than 25,000 gallons above ground, or more than 500 gallons below ground, of petroleum. . . .” 415 ILCS 5/3.355(1), (2) (2014). Please comment on whether the new water treatment building and associated facilities might store or accumulate, for example, treatment chemicals or fuel for an emergency generator such that this storage or accumulation would meet the definition of “potential primary source” or “potential secondary source”.

ANSWER - The new Water Treatment Building and associated facilities store the following treatment chemicals in the shown quantities:

- Sodium Hypochlorite 330 gallon storage tank
- Sodium Permanganate 330 gallon storage tank
- Fluorosilicic Acid 55 gallon drum

The standby generator uses natural gas so there is not diesel storage on the site.

Based on the specific gravity of each of these chemicals, the following pounds of each chemical are stored inside the Water Treatment Plant. Please note that the Village only stores 300 gallons of Sodium Hypochlorite and Sodium Permanganate in the 330 gallon storage tanks. Each of the chemicals has a containment sump sized to contain the chemical in the event of a spill.

- Sodium Hypochlorite 300 gallons x 8.34 lbs./gal. x 1.21 spec. grav. = 3,027 lbs.
- Sodium Permanganate 300 gallons x 8.34 lbs./gal. x 1.16 spec. grav. = 2,902 lbs.
- Fluorosilicic Acid 55 gallons x 8.34 lbs./gal. x 1.23 spec. grav. = 564 lbs.

Total Pounds = 6,493 lbs

Therefore the 6,493 pounds of chemicals stored inside the Water Plant above ground does not meet the definition of a potential primary source or potential secondary source as defined in 415 ILCS 5/3.345 or 415 ILCS 5/3.355 of the Act.

8. The petition states that, “[t]he Village also proposes to connect the new maintenance building and office located . . . on the North side of Southeast Hill Street across from Subject Property to the Septic System.” Pet. at 1. Exhibit A shows an “Existing Maintenance Garage” on the north side of Hill Street that is within the 200-foot setback zone of both existing community water supply wells. No office appears to be specifically denoted in Exhibit A. Please comment on whether the new maintenance building and office are located within the 200 foot setback and, if so, whether the Village’s new use of the property would meet the definition of “potential primary source” or “potential secondary source.”

ANSWER - The new Maintenance Garage includes an office for the village clerk and is shown as the Existing Maintenance Building on Exhibit A of the Petitioner's Answers to Pre-Hearing Questions. There is no gas storage within the building so the only amounts of gasoline stored within the building will be within the gas tank of the Village truck or tractor, or the fuel within a gas can which would be far less than the pounds required to meet the definition of a potential primary source or potential secondary source as defined in 415 ILCS 5/3.345 or 415 ILCS 5/3.355 of the Act

