

March 13, 2006

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STATE OF ILLINOIS
Pollution Control Board

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Bernadette Dinschel
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Subject

R06-23

Standards and Requirements for Potable Water Well Surveys and for Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination.

Ms. Antonioli:

As a citizen I am prefiling testimony for the first hearing on March 28, 2006, about Community Relation Activities in Conjunction with Agency Notices of Threats from Contamination.

Sincerely,
Bernadette Dinschel

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STATE OF ILLINOIS
Pollution Control Board

The Village of Lisle in Illinois sent out a letter to residents announcing the August 28, 2000 Village Board Meeting open to the public. The Village often does this. The agenda for the evening included a petition by The Lockformer Company, 711 Ogden Avenue, to amend the Village of Lisle ground water ordinance to restrict potable (drinkable) groundwater use. Lockformer was requesting that future wells not be drilled within 2500 feet of the Lockformer facility. They defined this district as a possible area of contamination. I live within the defined district. They were acting as a good neighbor, they said. They assured the Village Trustees and the audience that data collected from monitoring wells on their property indicated levels of TCE that did not pose a threat and that TCE never left their property. Trust me the consulting engineer said. The Village Board had every intention of voting to approve the petitioner's request that evening. They did not understand the audience concern but were willing to postpone the vote and have the Village Engineer review the data.

It was written in background information to the Village of Lisle on June 28, 2000 that "throughout it's history, Lockformer caused or allowed a chlorinated chemical solvent, trichloroethylene (TCE), to be released to the environment from an above-ground storage tank and/or a degreasing pit, which resulted in hazardous waste contamination to soil and groundwater." Also, "Since circa 1990, Lockformer has conducted ongoing site activities to investigate the nature and extent of the contamination. In 1998 the site was entered into the Illinois Site Remediation Program (SRP; 35 IAC 740) to obtain Illinois Environmental Protection Agency (IEPA) review and evaluation with the ultimate intent of obtaining a 'No Further Remediation' (NFR) letter."

About a year after the Village of Lisle Board Meeting, the IEPA and the United States Environmental Protection Agency (USEPA) determined that TCE was present in private wells over a distance of at least three miles from its source. At the source, nearly eleven years after Lockformer began investigating its site, TCE levels were unacceptable.

For ten or more years responsible parties, including Lockformer and its supplier, consulting engineering firms, state employees and local officials knew of the contamination or suspected contamination. No one informed private well owners or users. Everyone was playing by the rules. It is my opinion that responsible individuals representing areas of possible contamination did not notify because they were not required to notify, they did not have the authority to notify or they did not want to notify.

IEPA needed citizen input on its Right To Know (RTK) Subcommittee. Others and I were asked to participate. Since December 9, 2004 the content of a notice and the best way to deliver that notice has been discussed. In June 2005 recommendations by the RTK Subcommittee were organized to notify residents of Steger, Illinois. Well locations were identified, heads of households notified, and residents, interested parties and RTK Subcommittee members met in Steger to exchange information. The Subcommittee found that private well locations could be identified with a good degree of accuracy. We also found that it is possible to retrieve the names and addresses of people in the affected area. We learned that notification expenses could be managed. We learned a lot.

Testimony before the IPCB - Bernadette Dinschel - March 13, 2006

I ask that this Board act on behalf of property owners and occupants and require that notice be given to property owners and occupants without exception. Public Act 94-314 Title VI-D is an act about safety. It is a reasonable and practicable matter that anyone drinking from a contaminated water well receives direct notice. This Board can require the contact list under Section 1505.310.b.1 to include without exception equal notice to property owners and occupants. Occupants cannot be put at risk because of absentee owners, irresponsible landlords or a perceived inconvenience to the Agency or named responsible party giving notice.

After and because of the Lockformer incident, lawmakers acted perhaps in haste and left out the most important stakeholders, people like you and I who just turn on the tap and expect a safe glass of drinking water. TCE is a known carcinogen. I live in apartment #2. I am a landlord. I drank the well water in the affected area for ten years. My health was seriously compromised. This testimony is not only about my experience in Lisle but about what happens in the future. This Board can choose to uphold the intent of the law to protect the public from unsafe water wells by requiring that equal notice be given to property owners and occupants.

cc

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