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Pollution Control Board

PC#3

Heart of Illinois Group  P.O. Box 3593, Peoria, IL 61614

March 22, 2007

TO: Illinois Pollution Control Board
Hearing Officer
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

In the Matter of:
Proposed Amendments to Solid Waste Landfill Rules,
35 Ill. Adm. Code 810 and 811

IPCB Case: R07-08

Comments on behalf of
Heart of Illinois Group, Sierra Club

On behalf of the Heart of Illinois Group, Sierra Club, representing its 800 members in central Illinois, I wish to comment that protection of the environment is of utmost importance to the protection of human health and safety and for sustainable ecosystems. Our interest is in the essential importance of landfill regulations as part of protection of the environment.

Non-hazardous solid waste management facilities can be a source of contamination and a threat to water resources and public health over time. Thorough, comprehensive, and regular assessment and reporting of landfill leachate is in the public interest to provide a current analysis of an aspect of landfill conditions and to build a data record for each landfill site for analysis over the years of the site.

In regard to the Proposed Amendments to Solid Waste Landfill Rules, 35 Ill. Adm. Code

810 and 811, we wish to point out that environmental regulations should exist for the protection of the environment and health and safety, and not primarily for the convenience or money saving of the industries that are in the business of making profits from these landfills.

While the proposed rule changes are stated to provide greater cost and personnel efficiency to both the regulated community and to the Illinois EPA, we hope that the overall concerns of the IPCB also relate to any improvements these regulation changes make in the protection of the public health, safety, and welfare. It is essential that regulations for such landfills consider impacts not just for the current generation, but for decades after these landfills may close, due to the many impacts they can have on area water resources. It could be hoped that these rule changes would be motivated to require more protective engineering of MSW landfills. Requiring multiple liners and complete leak detection systems for MSW would be greater in the interests of protecting public health and safety over the longevity of these landfills, and have better considerations for the future impacts of these landfills on area water resources. We hope that Illinois will consider establishing a required and substantial perpetual care fund for MSW landfills, so that the future impacts of these sites will have funding for remediation generations away from closing. A landfill fundamentally changes the hydrogeology of the site and the significance of this impact must be recognized and given full consideration.

The public right to know should be a major consideration in requiring continued detailed reporting of leachate constituents. Consistent and detailed data is essential to citizen efforts to protect water resources. Permeable bedrock, sand and gravel, and alluvial units with characteristics that suggest a potential to store or conduct groundwater and yield potable water to wells and springs are widely distributed across Illinois, and are or will be impacted by many of the landfills represented in this ruling.

It needs to be emphasized and recognized that municipal waste landfills or non-hazardous solid waste management facilities end up having a vast array of pollutants, which can inadvertently or otherwise include toxics. At the Peoria County local siting hearing regarding the expansion permit application for Peoria Disposal Company Hazardous Waste Landfill, February 21st through 27th, 2006, in Peoria, Illinois, professional witnesses and staff for the Peoria Disposal Company Hazardous Waste Landfill, 4349 West Southport Road, Peoria, 61615, commented with statements to the effect that municipal waste landfill wastes or leachate are more dangerous than those of the PDC Hazardous Waste Landfill. A Peoria Disposal Company staff member commented on page 56 of the Peoria County Hearing Transcript for February 21, 2006, that "wastes being land disposed at PDC have been treated to limit the toxicity to extremely low treatment standards, much lower in toxicity than are allowed to be disposed in municipal solid waste landfills." Expert witness for PDC, Ken Liss, stated as recorded on page 37 of the Hearing Transcript for February 22, 2006, that leachate at the PDC Hazardous Waste Landfill is, "in many cases, less toxic than the concentrations in municipal solid waste landfill leachate." Another expert witness for Peoria Disposal Company, Dr. David Daniels, stated at the hearing as recorded in the February 22, 2006, Hearing Transcript on page 102, that, "I think you might well find that most ordinary municipal solid wastes

are, at least in many cases, more threatening in terms of what's in the leachate." The full transcripts from this hearing containing the quotes above are available via the Peoria County Board website, <http://www.co.peoria.il.us/> and click on Board Representatives, and then the Landfill Expansion Application tab.

It would have been more reassuring in assessing these rule changes to see some overall evaluation or assessment by an out-side, professional, independent evaluator to better consider the full impacts of what the waste industry proponents are requesting. We appreciate that the IEPA has a great many responsibilities and that it would be eager to have requirements that mean a savings in staff time and costs.

Our major concern regards what appears to be the leading nature of the proposed regulation changes regarding declaring off-site sources the cause of contamination that is identified in monitoring, and the stated procedures that follow. Rather than wording that emphasizes the due diligence to research the site for the cause of problems that are identified through monitoring, the emphasis seems to be on adjusting the monitoring or site plan and not a detailed list of priorities regarding investigation of on-site issues that could be causing the contamination.

On behalf of Heart of Illinois Group, Sierra Club, we ask that the IPCB support the conscientious application of regulations that are the most protective of our environment, water resources, and the public health, safety, and welfare.

Sincerely,



Joyce Blumenshine
Heart of Illinois Group Sierra Club
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