



Illinois Environmental Council Education Fund
Illinois Environmental Council
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April 18, 2012

Board Member Deanna Glosser
Hearing Officer Marie Tipsord
Illinois Pollution Control Board
1021 North Grand Avenue East
PO Box 19274
Springfield, Illinois 62794-9274

RE: *Rulemaking R2012-009*

Dear Board Member Glosser and Hearing Officer Tipsord:

The Illinois Environmental Council appreciates the opportunity to comment on the Illinois Pollution Control Board's ("Board") proposed CCDD amendments to 35 Ill. Adm. Code Part 1100, dated February 2, 2012. IEC is a 501(c)3 non-profit umbrella organization representing the interests of over 50 environmental and community organizations in Illinois on state and federal issues dealing with the environment and public health.

IEC strongly opposes the Board's proposed amendments because they exclude the provisions for groundwater monitoring under Subpart G of the IEPA proposed rule. We believe the Board is mistaken when it states that "no evidence was provided to demonstrate that CCDD or uncontaminated soil fill sites were a source of groundwater contamination." Illinois quarries are highly permeable excavated open-pit mines, which are ideal conduits for groundwater contamination. Quarry-bottoms are either at or below the water table. Proper surveying and monitoring are necessary to determine whether contaminants are leaching from the quarry into the surrounding aquifers. The majority of households across the state use groundwater aquifers as their main source of drinking water, and the absence of groundwater monitoring standards is a clear risk to the health of Illinois citizens.

The IEPA has acknowledged that groundwater contamination is likely in quarry sites using CCDD as fill, and IEPA included provisions for monitoring in its proposed rule dated July 29, 2011. *See* Direct Testimony of Stephen F. Nightengale at 24, filed as part of this rulemaking electronically on October 7, 2011. "[T]he Agency anticipates a certain percentage [of soil] may not meet these [contamination] standards, and with the sheer volume of material accepted at these fill operations, even a small percentage of missed contamination could cause groundwater problems – especially since these fill operations are placing material directly in contact with groundwater." We urge the Board to heed IEPA's assessment and include a strong provision for monitoring.

The proposed rule should include a provision on groundwater monitoring that requires:

1. An engineering survey to determine the geological characteristics of the quarry, the quarry's proximity to groundwater and the flow of

groundwater and as well as the public use and consumption of such water. For example, Subtitle D landfills require an extensive geological survey to determine where water and leachate most easily flow through ~~fractured~~ porous rock. Porous rock, the type of rock found in most quarries, is highly susceptible to leaching, acting as a conduit to groundwater; as such these areas require a similar level of scrutiny to prevent groundwater contamination.

2. A ground-water monitoring system must be installed that consists of a sufficient number of wells, installed at appropriate locations and depths, to yield ground-water samples from the uppermost aquifer that represents the quality of ground water passing the relevant point of compliance.
3. Sampling procedures with a frequency that protects human health and the environment.

In conclusion, IEC strongly recommends that the Board include groundwater monitoring standards in its proposed rule, and that these standards be more stringent than what was proposed by the IEPA in July, 2011.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Walling". The signature is written in a cursive, flowing style.

Jennifer Walling
Executive Director
Illinois Environmental Council