



OFFICE OF PUBLIC UTILITIES
CITY OF SPRINGFIELD, ILLINOIS

J. MICHAEL HOUSTON, MAYOR

ENVIRONMENTAL HEALTH & SAFETY



October 12, 2012

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 110500
100 West Randolph
Chicago, IL 60601

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CLERK'S OFFICE

OCT 16 2012

STATE OF ILLINOIS
Pollution Control Board

PCH 48

RE: Comments on Proposed Amendments to Clean Construction or
Demolition Debris Fill Operations (Rulemaking – Land)
R12-9(B)

Dear Clerk and Members of the Illinois Pollution Control Board:

My name is Pat Metz and I am an employee of City Water, Light and Power, a municipal-owned utility of the City of Springfield that provides drinking water and electricity to area residences and businesses. One of my responsibilities with the Utility is to assure compliance with state and federal regulations pertaining to the proper disposal of waste generated by the Utility which includes excavated material. I participated in the original rulemaking with written comments and testimony at one of the public hearings. I was pleased with the Board's decision to remove the groundwater monitoring requirement originally proposed by the Illinois Environmental Protection Agency.


I would like to express my opposition to any further unnecessary impositions to the Clean Construction or Demolition Debris Fill Operations Rules. I concur with the five reasons the Board has indicated that groundwater monitoring is not needed. While it cannot be argued that requiring groundwater monitoring wells can provide advance warning of potential contamination of the aquifer, there is an obligation to demonstrate first the need for groundwater monitoring and second that the advantage of this information outweighs the cost of such a system at each of the permitted fill sites. Neither has been shown. If operators either decide to go out of business because of the cost or agree to put in a system but need to substantially increase the cost for their customers to place material at their site, generators such as City Water, Light and Power who choose to comply with state regulations will have no choice but to take their non-contaminated excavated material to a landfill. Besides being economically unreasonable, it is environmentally sinful. It is my belief that as the regulations become more restrictive, more generators of CCDD material will dispose of the material illegally, thus negating the purpose of these rules.

I question if the Illinois Department of Commerce and Economic Opportunity is going to be given another opportunity to submit the required Economic Impact Statement for the sub docket B rulemaking concerning the impact of a groundwater monitoring requirement. I was extremely disappointed that the amendments that became effective August 27 were approved without the Illinois

Department of Commerce and Economic Opportunity fulfilling its responsibility to estimate the economic impact of the proposed regulations. Neither the Illinois EPA nor the Illinois Pollution Control Board provided a single dollar figure for the expense of such items as the cost of the laboratory analysis for a sample from a potentially impacted property. Several individuals testified on the detrimental financial impact that the regulations would have, but despite any cost figures from the regulators, it was determined that "The Board found that the rule as proposed is economically reasonable and technically feasible." As even more stringent regulations are considered, I am hopeful that the Board evaluates the cost of installing, maintaining and sampling groundwater monitoring wells. If this is done I am hopeful that the Board will not make any revisions to the August 27 rules.

I appreciate the opportunity to provide these comments. If you have any questions you can contact me at 217/757-8610, extension 1106.

Very truly yours,

A handwritten signature in black ink that reads "Pat Metz". The signature is written in a cursive style with a large, stylized "P" and "M".

Pat Metz
Industrial Health Specialist
Environmental Health and Safety Office
Office of Public Utilities