

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R15-22
PUBLIC WATER SUPPLIES: PROPOSED)
AMENDMENTS TO 35 ILL. ADM CODE) (Rulemaking-Water)
PARTS 601,602, AND 603)

NOTICE OF FILING

PLEASE TAKE NOTICE that I have electronically filed today with the Illinois Pollution Control Board Illinois EPA's TESTIMONY OF DAVID C. COOK for the above captioned rulemaking, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/Joanne M. Olson
Joanne M. Olson
Assistant Counsel
Division of Legal Counsel

DATED: May 28, 2015

1021 N. Grand Ave. East
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THIS FILING IS SUBMITTED ON RECYCLED PAPER

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TESTIMONY OF DAVID C. COOK

I. Qualifications and Introduction

My name is David Cook. I began my current role as Acting Permit Section Manager of the Division of Public Water Supplies in January of 2012. I am also the Springfield Regional Manager for the Division of Public Water Supplies' Field Operation Section, a position that I've held since June of 2002. I supervise a total of six environmental engineers. Staff of the Permit Section review and approval or deny permit applications for changes to community water supplies. Also, technical support is provided for Compliance Assurance, Field Operations, and Infrastructure Financial Assistance Sections. Staff of the Field Operations Section conduct periodic engineering evaluations of each community water supply, provide technical assistance to the certified water operators, and respond to citizen complaints.

My advancement to my current positions began in 1989 when I graduated from the University of Illinois with a degree in Mechanical Engineering. I've spent my entire professional career in the Division of Public Water Supplies. I first started as an engineer in the Permit Section in 1990. My curriculum vita is attached as Exhibit 1.

This proposed rulemaking is intended to update existing rules in Parts 601, 602, and 603. As Acting Permit Section Manager, I am providing testimony for the Part 602 amendments. The proposed amendments will consolidate water supply permitting rules in Part 652, 602 and the

Recommended Standards for Water Works. This consolidation will provide clarity to community water supplies and consultants that prepare permit applications on their behalf.

II. Part 602

Section 602.104 Emergency Permits: In almost all situations when a community water supply intends to modify its water system it applies for a construction permit from the Division of Public Water Supplies. The Permit Section has up to 90 days to issue a construction permit for applications without a fee and up to 45 days to issue a construction permit for applications with a fee. Occasionally situations occur such as the sudden failure of a key component of a water plant or section of water main that demands immediate replacement. These failures could be caused by aged equipment or by the activity of other utilities. Conditions do not allow the water supply to delay corrective action while proceeding through the normal permit process. The cause of the failure could also be a natural disaster as in one case a water plant was destroyed by a tornado. In these cases authorized representatives of the community water supply contact the Agency and are given an emergency permit to construct and operate. To document the work was properly completed the water supply is then required to submit as built plans and specifications to the Agency within 60 of the issuance of the emergency permit. The 60-day deadline replaces a more ambiguous timeline of submission when reasonably possible.

Section 602.105 Standards of Issuance: This Section combined information from Section 652.111 into the existing structure of Section 602.105. It is substantially the same as contained in the old Section 602 but now includes specific standards used as design criteria in the potable water industry. Section 602.105(2)(D) allows the use of other national standards to demonstrate that the proposed treatment is viable.

Section 602.106 Restricted Status: When a community water supply has an existing violation of the Act or Board regulations, construction permits cannot be granted except in certain circumstances. A Restricted Status list is published quarterly that notes the community water supplies with an existing violation. This section has been modified to list the most common violations that result in placement on Restricted Status. Also, the Restricted Status list will now be required to be published on the Agency's website.

Section 602.107 Critical Review: Community water supplies that are approaching the point of violating the criteria used for a Restricted Status determination are put on a Critical Review list. Currently, Part 602 does not have a section on critical review. This section was based on the Agency's current rule in Section 652.402, which was modified to define what approaching a violation means. Also, the Critical Review list will now be required to be published on the Agency's website.

Section 602.113 Duration: This Section changes the expiration date of a construction permit where construction has already started to five years from the date of issuance. The existing language is four years from the date construction begins. The start of construction is not a date that the Agency tracks.

Section 602.200 Construction Permit Requirement: A community water supply does not need to obtain a construction permit for projects that are of a routine nature or considered to be maintenance. These projects do not affect the sanitary quality of the water. The Permit Section and other Agency staff are routinely asked whether a particular project requires the water supply to obtain a construction permit. For this reason it was desired to add to this Section additional detail on modifications that can be made without obtaining an Agency permit.

Section 602.210 Construction Permit Applications: The community water supply submits a construction permit application and supporting documentation to the Agency to insure that the proposed changes to the water supply comply with State rules and regulations and other applicable Standards. This Section provided additional detail to the information that is required to accompany an application for an Agency construction permit. This information will allow the Agency to conduct a more thorough review of the permit application. Projects requiring construction permits fit into one or more of the following categories: source, treatment, storage, and distribution. More details on each category are reference later in this Part.

Section 602.225 Engineers Report: For new water supplies and complex projects at existing water supplies the Agency may request an engineer's report be submitted along with the construction permit application. An engineer's report contains detailed information on components of a community water supply and analysis of options considered for the project. An Engineer's Report must discuss alternatives to the project and provide justification for the chosen option.

Section 602.235 Specifications: The specifications are in book form and are submitted with a construction permit application. They contain the detailed information on the proposed changes to the water supply. The specifications are reviewed by the Agency to insure that the proposed changes comply with State rules and regulations and other applicable Standards. They are also used for bidding purposes for those that perform work with community water supplies.

Section 602.240 Plans: Plans contains the schematics of the proposed modifications to a community water supply. The plans are drawn to a scale which will show the detail necessary to allow the Agency to review the proposed structures and equipment for compliance with States rules and regulations and other applicable Standards. Before a construction permit is issued the

Agency may request revisions of the plans to correct violations of the rules and regulations or may request any pertinent information not included on the plans submitted. Since the different components of a community water supply (source, treatment, storage and distribution) have unique characteristics it was thought that dividing these components into separate sections would provide clarity to those using the regulations to prepare permit applications. Those using the regulations should be more readily able to locate information on the specific component or components in which they are interested. The requirements were taken from Part 652 and from the Recommended Standards for Water Works.

Section 602.310 Projects Requiring Disinfection: This Section is based on Section 652.203 and is substantially unchanged. However, some filter media, ion exchange softener resin, and membranes are not tolerant of residual chlorine. This does not allow the standard practice of disinfecting these materials with high concentrations of chlorine before sampling for coliform bacteria. This change to the language found in Section 652.203 attempts to insure the sanitary quality of the water while preserving the integrity of the material. Satisfactory coliform samples must be collected from the equipment and an operating permit must be obtained before it can be placed in service.

Section 602.400 Algicide Permit Requirement: This Section is substantially the same as it was in Section 652.501. However since Section 652.501 was last revised proprietary copper sulfate based products have come on the market and the use of these products has become more widespread. These products have been added to the revised Section 602.400. Citric acid is also commonly used as a copper sulfate chemical aid to keeping the copper in solution for a longer period of time which increases its effectiveness in algae control.

Subpart E Other Aquatic Pesticide Permits: This subpart is substantially the same Subpart F of Part 652.

III. Conclusion

For the above stated reasons, I recommend the Board adopt the Agency's proposed amendments. I thank the Board for allowing me to file testimony in this matter. I will supplement the testimony as needed during the hearing, and I am happy to address any questions.

Respectfully submitted,

By: /s/ Dave C. Cook

David C. Cook, P.E.
Acting Manager, Permit Section
Division of Public Water Supplies

DATED: May 27, 2012

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May 13, 2015

CURRICULUM VITAE OF DAVID C. COOK

I. Education and Professional Registration

- 2012 to Present Great – Lakes Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, Water Committee Representative
- 2002 to Present Licensed Professional Engineer (Illinois License No. 62-055584)
- 1990 to Present Continuing Education: various American Water Works Association conferences, Illinois Potable Water Supply Operators Association conferences, other governmental webinars, 40 hour OSHA Safety Training, and DHS National Incident Management System training
- 1985 to 1989 Bachelor of Science in Mechanical Engineering – University of Illinois

II. Summary of Experience

Approximately twenty-five years of experience working as an environmental engineer at the Illinois Environmental Protection Agency including progressive responsibility with state and federal rule implementation, permitting of community water system improvements, and performing engineering evaluations of community water systems. Currently serves as Acting Manager of the Division of Public Water Supplies' Permit Section and Springfield Regional Manager within the Field Operations Section.

III. Chronological Experience

- 1/12 to Present **ACTING MANAGER, PERMIT SECTION, DIVISION OF PUBLIC WATER SUPPLIES**
Manages the activities of the Permit Section and recommends policies and procedures involving advanced technical expertise; supervises a staff comprised of environmental engineers responsible for the statewide issuance of permits, and provides technical support for the compliance assurance, field operations, and drinking water state revolving loan program.
- 6/02 to Present **MANAGER, SPRINGFIELD REGIONAL OFFICE, FIELD OPERATIONS SECTION, DIVISION OF PUBLIC WATER SUPPLIES**
Directs, coordinates and reviews the activities of subordinate staff responsible for conducting highly technical and detailed evaluations of community water supplies; effectively communicates report findings and

DPWS programs requirements to the owners, operators and official custodians; supervises staff responding to consumer and press inquiries and complaints; directs technical assistance to community water supplies in the Springfield Regional Office area of the state; assists owners, operators and official custodians in resolving emergencies and problem situations.

2/93 to 5/02

ENVIRONMENTAL PROTECTION ENGINEER III

Under direction of the Manager, Permit Section, Division of Public Water Supplies, Bureau of Water performed office engineering relating to the design, construction, location, or maintenance of public water supplies; provided interpretation of division regulations and policy to consulting engineers, water supply officials, and the general public; reviewed detailed plan documents for the construction and/or modification of public water supplies; prepared technical review letters specific to construction permit applications; met with engineering firms in the review of plan documents when required; reviewed and, if satisfactory, prepared sludge land application permits; and responded to general correspondence and telephone calls concerning Permit Section activities.

7/91 to 2/93

ENVIRONMENTAL PROTECTION ENGINEER II

Under direct supervision of the Manager, Permit Section, Division of Public Water Supplies, Bureau of Water, reviewed routine plans and specifications for water main extensions and other public water supply improvements; prepared technical review letters specific to construction permit applications; and responded to general correspondence and telephone calls concerning Permit Section activities.

2/90 to 7/91

ENVIRONMENTAL PROTECTION ENGINEER I

Under direct supervision of the Manager, Permit Section, Division of Public Water Supplies, Bureau of Water, reviewed routine plans and specifications for water main extensions and other public water supply improvements; prepared technical review letters specific to construction permit applications; and responded to general correspondence and telephone calls concerning Permit Section activities.

CERTIFICATE OF SERVICE

Joanne M. Olson, Assistant Counsel for the Illinois EPA, herein certifies that she has served a copy of the foregoing NOTICE OF FILING; and TESTIMONY OF DAVID C. COOK upon persons listed on the Service List by mailing, unless otherwise noted on the Service List, a true copy thereof in an envelope duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois on May 28, 2015.

By: /s/Joanne M. Olson
Joanne M. Olson
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Division of Legal Counsel

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