

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 )  
AMENDMENTS TO PRIMARY ) R14-09  
 ) (Rulemaking- Water)  
DRINKING WATER STANDARDS: )  
35 Ill. Adm. Code 611.490 )

**NOTICE OF FILING**

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board Illinois Environmental Protection Agency's TESTIMONY OF MICHAEL B. CRUMLY, 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

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**TESTIMONY OF MICHAEL B. CRUMLY**

Qualifications and Introduction

Hello, my name is Michael Crumly. I graduated in 1987 from Southern Illinois University at Carbondale with a bachelor's degree in Biological Science and a minor in Zoology. I started working for the Drinking Water Compliance Section, Illinois Environmental Protection Agency (Illinois EPA) as a Life Science Career Trainee in December 1987. Several times throughout the 25 years of ongoing service, I was promoted. With each new title came increased responsibilities. In April 1996, I was promoted to a management position as Manager of the Drinking Water Chemical Monitoring Sub-Unit (Bureau of Water) and in March 2001 promoted to Manager of the Drinking Water Compliance Unit (Bureau of Water). Most recently the Drinking Water Compliance Unit was involved in an Agency/Bureau of Water re-organization. As of today, I hold the position of Manager of the Drinking Water Compliance Assurance Section for the Division of Public Water Supplies. My resume is attached as Exhibit 1.

As Manager of the Compliance Assurance Section, I oversee the activities of six technical and one support staff on a daily basis. This Section's responsibility is to implement the drinking water bacteriological and chemical sampling programs pursuant to the federal Safe Drinking Water Act (SDWA) and State of Illinois equivalent Rules and Regulations. In addition, I

coordinate with other Illinois EPA managerial staff when applicable. I initiate and review formal enforcement activities (Non-compliance Advisories and Notice of Violations) to the community water supplies, and coordinate the enforcement follow-up actions. I administer job evaluations to staff, develop and maintain cooperative working relationships and delegate job responsibilities. I also develop procedure protocol for staff and management.

Today I would like to address the certification of laboratories for drinking water regulated contaminants currently not certified by or not covered by Illinois EPA and IDPH's laboratory certification programs. Failure to have laboratories certified in Illinois may result in increased rates of non-compliance for community public water systems and therefore jeopardize public health.

#### Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) defines a public water system (PWS) as one that serves piped water to at least 25 persons or 15 service connections for at least 60 days each year. The United States Environmental Protection Agency (USEPA) established the Public Water System Supervision (PWSS) Program under the authority of the 1974 Safe Drinking Water Act (SDWA). Under the SDWA and the subsequent amendments, USEPA sets national limits on contaminant levels in drinking water to ensure that the water is safe for human consumption. USEPA must also established pollutant-specific minimum specific testing requirements for community public water systems. In Illinois, USEPA has delegated primacy to the Illinois Environmental Protection Agency (Illinois EPA) to oversee that federal law is met. The Illinois EPA further divided authority between the Illinois EPA and the Illinois Department of Public

Health (Illinois DPH). Illinois EPA has been designated as the lead Agency for primary enforcement authority and oversees the community public water system (CWS) program. CWS serve 15 or more year round service connections or 25 or more year round residents. Illinois DPH oversees the non-community public water supplies. Generally speaking, CWS in Illinois have excellent compliance rates. During 2012, the percentage of CWS in compliance year round with all health requirements (maximum contaminant levels, treatment techniques, or public education) was 96%.

CWS typically monitor for bacteria, protozoa and viruses, nitrate and nitrite, volatile organic compounds (e.g., benzene), synthetic organic compounds (e.g., pesticides), inorganics (e.g., arsenic), lead & copper, and radionuclides. When it is time for a CWS to monitor for a contaminant or group of contaminants, they are notified by Sample Demand Letter from the Illinois EPA. After the CWS is notified, the CWS contact a laboratory for sample bottles and subsequently perform the analysis. Laboratories providing these analytical services must be an Illinois EPA, IDPH, or USEPA accredited laboratory for the method being used to perform the analysis in drinking water. Sample analysis is often complicated and not all laboratories are accredited for all contaminants. Once the sample is analyzed, results are sent to the CWS which in turn submit the results to the Illinois EPA for compliance determinations. Often, the CWS request the laboratory to directly send the results to the Illinois EPA saving the CWS a step. Results must be received by the Illinois EPA within 10 days following a monitoring period. The Illinois EPA receives tens of thousands sample results from accredited laboratories each year.

With dwindling financial resources, the ongoing support to maintain an Illinois certification program for every monitoring program (including radiochemistry) has become problematic. When Illinois first received primary enforcement responsibility, the primary state laboratory for radiochemistry was located at the Illinois Department of Nuclear Safety (IDNS); this laboratory received thousands of samples from community water supplies. The number of laboratories conducting radiological analysis has drastically decreasing since then. The Illinois Emergency Management Agency (IEMA) replaced IDNS and maintained Illinois' primacy radiochemistry laboratory, certified by USEPA, until 2012. IEMA notified Illinois EPA in January 2012 that it no longer wished to remain as the state primacy radiochemistry laboratory and maintain USEPA certification because it was not receiving very many samples to analyze. At the same time, IEMA notified Illinois EPA that only one laboratory in Illinois had an Illinois certification for radiological analysis of drinking water samples. This laboratory's certification has since expired.

In addition, the number of laboratories that USEPA is willing to certify for radiochemistry has also declined. USEPA Region V no longer grants certification to all laboratories seeking radiochemistry certification either. Instead, the USEPA office in Cincinnati Ohio will only certify the state's primacy radiological laboratory. Illinois EPA believes that USEPA has reduced the scope its certification program because of the decreasing number of laboratories seeking certification, the costs to certify each laboratory and the agency's limited resources.

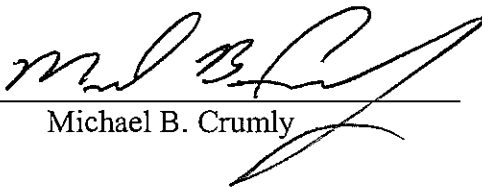
Private laboratories wishing to be certified for the first time or re-certified for radionuclide analysis are not able to because the Illinois EPA, IDPH, or USEPA no longer have a certification team/ expertise for that monitoring program. As of today, Illinois does not have a laboratory with current certification for the regulated radionuclides. Even though there is not an Illinois laboratory, CWS are still required to monitor and have samples analyzed by a certified laboratory. This primacy deficiency has been noted in the Illinois EPA/USEPA Annual Resource Deployment Plan agreement between Illinois EPA and USEPA. Illinois has tentatively committed to pursue regulatory changes to accept third party certification of radiological samples as part of their Performance Partnership Agreement with USEPA,

**Conclusion**

This concludes my pre-filed testimony. I will supplement the testimony as needed during the hearing and am happy to address any questions.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Michael B. Crumly

DATED: 10-19-13

Illinois Environmental Protection Agency  
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**CURRICULUM VITAE OF MICHAEL B. CRUMLY****I. Education**

1984 to 1987 Bachelor of Science in Biological Sciences-Southern Illinois University - Carbondale

**II. Summary of Experience**

Approximately twenty-five years of experience working in the drinking water Compliance Assurance Section at the Illinois Environmental Protection Agency. Experience includes progressive responsibility with state and federal rule implementation and reporting. Currently serve as manager of the Division of Public Water Supplies (DPWS) Compliance Assurance Section.

**III. Chronological Experience**

- 4/11 to Present **MANAGER, DRINKING WATER COMPLIANCE ASSURANCE SECTION, DIVISION OF PUBLICWATER SUPPLIES**  
Responsible for direct management of the technical/support staff on a daily basis in regards to implementation of the drinking water bacteriological and chemical sampling programs pursuant to the federal Safe Drinking Water Act and State of Illinois equivalent Rules and Regulations. Coordinate with other Illinois EPA managerial staff regarding multi-jurisdictional issues and resolutions. Prepare formal enforcement activities (Non-compliance Advisories and Notice of Violations), and coordinate the enforcement follow-up actions. Administer job evaluations to staff, develop and maintain cooperative working relationships and delegate job responsibilities. Develop procedure protocol for staff and management.
- 4/96 to 4/11 **MANAGER, DRINKING WATER COMPLIANCE UNIT, BUREAU OF WATER**  
Responsible for direct management of the technical/support staff on a daily basis in regards to implementation of the drinking water bacteriological and chemical sampling programs pursuant to the federal Safe Drinking Water Act and State of Illinois equivalent Rules and Regulations. Coordinate with other Illinois EPA managerial staff regarding multi-jurisdictional issues and resolutions. Prepare formal enforcement activities (Non-compliance Advisories and Notice of Violations), and coordinate the enforcement follow-up actions. Administer job evaluations to staff, develop and maintain cooperative working relationships and delegate job responsibilities. Develop procedure protocol for staff and management.
- 1/92 to 4/96 **ENVIRONMENTAL PROTECTION SPECIALIST III**  
Performs duties related to all programs required by the federal Safe Drinking Water Act and State of Illinois Rules and Regulations. Serves as lead worker for the Drinking Water Chemical Compliance Unit. Responsible for direct management of the technical staff on a daily basis in regards to implementation of the drinking water sampling programs pursuant to the federal Safe Drinking Water Act and State of Illinois equivalent Rules and Regulations. Evaluate job performances, develop and maintain cooperative working relationships and delegate job responsibilities among unit staff. Develop procedure manuals for staff. Prepares written responses to citizen complaints/requests concerning the safety of the drinking water in their community.
- 6/90 to 12/91 **ENVIRONMENTAL PROTECTION SPECIALIST II**  
Performs duties related to all programs required by the federal Safe Drinking Water Act and State of Illinois Rules and Regulations. Directed and coordinated the work of data

input operators in regards to entering sample testing results for all regulated inorganic/organic chemicals, radiological, and unregulated contaminants submitted by the IL Community Water Supplies (CWS) into the Main Frame. Review sample data, develop and maintain radiological, trihalomethanes and volatile organic chemicals tracking database systems on the PC using dBase IV. Determination of violations and prepare notices of noncompliance to affected CWS and describes the required corrective actions. Coordinate with EDP the transfer of information to and from the Main Frame (IMSH – SAFE System) to the PC. Prepares written responses to citizen complaints/requests concerning the safety of the drinking water in their community.

12/88 to 6/90

**ENVIRONMENTAL PROTECTION SPECIALIST I**

Performs duties related to all programs required by the federal Safe Drinking Water Act and State of Illinois Rules and Regulations. Reviewed radiological, bacteriological, trihalomethanes and volatile organic chemical sample data and advised water supply officials on violations and/or actions regarding the sampling programs. Directed and coordinated the work of data input operators in regards to entering sample testing results for the regulated, chemicals, radiological, and unregulated contaminants submitted by the IL Community Water Supplies (CWS) into the Main Frame.

12/87 to 6/90

**LIFE SCIENCE CAREER TRAINEE**

Under the direct supervision of the Section Manager, performs duties related to all programs required by the federal Safe Drinking Water Act and State of Illinois Rules and Regulations. Performed similar duties as EPSI, but with greater supervision.



**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 MICHAEL B. CRUMLY 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 October 21, 2013.

By: /s/Joanne M. Olson

Joanne M. Olson  
Assistant Counsel  
Division of Legal Counsel

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