

ILLINOIS POLLUTION CONTROL BOARD
May 9, 1986

CITY OF YORKVILLE,)
)
 Petitioner)
)
 v.) PCB 86-24
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

DISSENTING OPINION (by J. D. Dumelle):

My reasons for dissenting are my concerns over health effects and the lack of specificity as to the hardship.

The Yorkville drinking water radium content is 7.8 pCi/l compared to the State and Federal standard of 5.0. It is thus 56% over a health-based standard set to protect against cancer.

The majority Opinion states, "For the short term of the variance, any adverse risk to the environment would be minimal." Opinion, p. 4. The variance granted by the majority is for three years. Allowing a full year for any new residential construction means a remaining two year exposure to high radium for persons moving into those new housing units.

The Federal Register publication of August 14, 1975 states, "... the potential risk due to radium drinking water ingestion at 5 pCi/l is estimated to be between 0.7 and 3 fatal cancers annually per million exposed persons." 40 F.R. 34325. The key word is "annually."

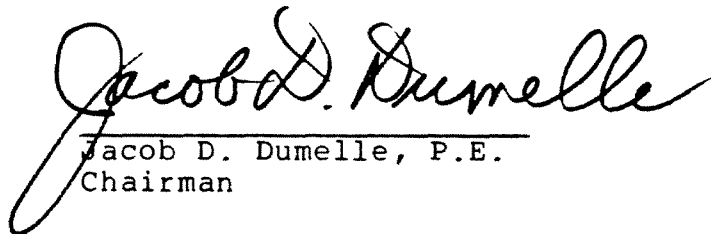
Since Yorkville is 56% over the standard its risk figures then become 1.1 and 4.7 instead of 0.7 and 3 respectively. These average to 2.9. If, in Yorkville, an average of 2.9 fatal cancers will be induced per million people exposed annually then it follows that in two years twice as many will be induced or 5.8. The chances of getting cancer in Yorkville in two years are then about 1-in-172,000. Are these odds the Board should allow to be inflicted upon the public? I think not.

The vagueness of the hardship is bothersome. No projects are listed as being held up by Restricted Status. What then is the hardship? And is it any different from any other community on Restricted Status? If it is not, then the rule is useless and should be repealed. I would have no hesitancy in voting for a

variance to allow water main improvements for fire fighting purposes, etc. or even for office or commercial structures. It is the new residences that create 24-hour-a-day exposure to additional people.

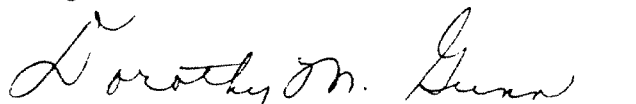
Some final words. The Agency in its Recommendation repeats its often-used statements about ion exchange softeners using salt resulting in possibly dangerous levels of sodium in drinking water. Yet it has never proposed a sodium standard to this Board. Why not? Similarly, it repeats its concern that radioactive ion exchange material disposal "may be a problem." Is it or isn't it? Do we not now have enough experience under RCRA to know? How is existing radioactive ion exchange waste disposed of now?

Lastly, I object to the majority's truncated inclusion into the record of portions of R85-14. The paper "Drinking Water and Cancer Incidence in Iowa" (Ex. 26E) is not included. The Journal of the American Medical Association article "Association of Leukemia with Radium Groundwater Contamination" (Ex. 21) is not included. To exclude these and other materials in R85-14 is to bias the record in this variance and is not objective.



Jacob D. Dumelle, P.E.
Chairman

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Dissenting Opinion was filed on the 16th day of May 1986.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board