

ILLINOIS POLLUTION CONTROL BOARD

August 6, 2025

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R22-18A
GROUNDWATER QUALITY) (Rulemaking – Public Water Supplies)
35 ILL. ADM. CODE 620)

HEARING OFFICER ORDER

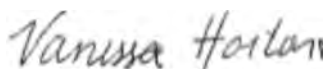
On May 15, 2025, the Board directed the Clerk to open this sub-docket to further develop the record on the economic impact of Part 620 groundwater quality standards on landfills. The Board issued eight written questions and invited participants to provide information regarding landfills that would be affected by the addition of Part 620 per- and polyfluoroalkyl substances (PFAS) standards.

Two participants timely filed written testimony and the Illinois Environmental Protection Agency filed a written comment.

The Board and Board staff have reviewed the pre-filed testimony and comment filed in this matter, and submit with this order their questions to those witnesses, included as Attachment A. These questions are non-exhaustive, and the Board and its staff may have additional questions during the hearing scheduled for August 12, 2025. The hearing officer anticipates witnesses will be prepared to answer these questions verbally at hearing or may file written answers prior to hearing, if they so choose.

All filings in this proceeding will be available on the Board's website at <https://pcb.illinois.gov/> in the rulemaking docket [R22-18A](#). Unless the Board, hearing officer, Clerk, or procedural rules provide otherwise, all documents in this proceeding must be filed electronically through the [Clerk's Office On-Line](#). 35 Ill. Adm. Code 101.302(h), 101.1000(c), 101.Subpart J.

IT IS SO ORDERED.



Vanessa Horton
Hearing Officer
Illinois Pollution Control Board
(312) 814-5053
Vanessa.Horton@illinois.gov

ATTACHMENT A

**R22-18A: Proposed Amendments to Part 620 Groundwater Quality Standards
Questions for Illinois Environmental Protection Agency, National Waste & Recycling
Association, and Land and Lakes**

IEPA

1. On page 3, IEPA states that while “there may be concerns about replacing entire monitoring networks due to potential interference, the Agency anticipates that background values for groundwater can be established using existing groundwater monitoring networks that are adequate for detecting a potential release.”
 - a. Please explain for the record the types of potential interference that may be encountered during sampling of groundwater monitoring wells at nonhazardous waste landfills.
 - b. Comment on the measures that may be undertaken to minimize groundwater sampling interference for PFAS analysis without replacing the monitoring well.
 - c. Please clarify whether the concerns due to potential sampling interference are limited to background (upgradient) wells or do they also apply to downgradient monitoring wells.
 - d. Also, would it possible to install additional monitoring wells for sampling PFAS instead of replacing entire groundwater monitoring network at affected landfills?
2. On page 3, IEPA states that an immediate impact of applying the Part 620 PFAS standards to Part 811 and 814 landfills would not include routine sampling of these constituents for landfills subject to detection monitoring. Please clarify under what circumstance would IEPA add PFAS constituents to the list of constituents to be monitored at Parts 807, 811, and 814 landfills currently subject to detection monitoring.
3. On page 3, IEPA states that “there are currently 91 landfills subject to Part 811 or Part 814 permits, of which one is currently seeking expansion, Eco Hill Landfill (BOL ID 0730200003).”
 - a. Please clarify whether the 91 permitted landfills mentioned above include closed landfills under postclosure care.
 - b. If so, how many of these landfills are closed but still monitoring groundwater as a part of postclosure care?

- c. How many of the of 91 landfills are Subtitle D compliant with composite liner system?
 - d. Comment on whether all Subtitle D compliant landfills are currently operating in detection monitoring mode.
 - e. Are any of the 91 permitted landfills located within close proximity of drinking water well setback zones or over Class I groundwater aquifers like Mahomet aquifer? If so, should these landfills be required to monitor for PFAS to protect drinking water sources?
4. Does the Agency have records regarding ownership information for the 91 permitted landfills subject to Part 811 or Part 814 permits?
- a. If so, please provide a breakdown in terms of those owned by private companies and municipalities.
 - b. If ownership changed during the life of these landfills, please provide all ownership data the Agency has maintained.
 - c. Please provide an estimated range of revenue generated by privately owned landfills under Part 811 and 814 (Subpart C and D) landfills during their active life.
 - d. Please provide an estimated range of revenue generated by municipally owned landfills under Part 811 and 814 (Subpart C and D) landfills during their active life.
 - e. For questions (b) and (c), if actual cost information is not available, please provide estimated revenue based on tipping fees and annual waste volume accepted by the landfills.
5. On page 5-6, IEPA states that a new facility or lateral expansion of an existing facility must conduct a hydrogeologic investigation that includes establishing background values for PFAS constituents.
- a. Please clarify whether establishment of background concentrations for PFAS would also include PFAS as constituents for detection monitoring at new facilities or lateral expansion.
 - b. If not, comment on whether the cost impact of Part 620 PFAS standards on new landfill and lateral expansions would only be associated with establishment of background based on PFAS sample analysis cost of \$300 per event per monitoring well.
6. On Page 6, IEPA provides an estimate of \$300 per PFAS sample analysis.

- a. Please place this estimated cost in context of other required monitoring.
 - b. Would there be any additional associated costs, such as sample collection, sample preservation and transfer, analysis of data, or record keeping costs?
 - c. Is \$300 analytical cost per sample comparable to the cost for analysis of other organic constituents at a landfill, or is the cost to sample for PFAS significantly higher?
7. On page 6 regarding Groundwater Impact Assessment (GIA) modeling, IEPA states, “modeling can be time intensive and could have a wide range of costs, which are unknown to the Agency as costs are not submitted as part of the GIA modeling documentation.” Please comment on whether the cost of GIA modeling would be significantly impacted by adding constituents like PFAS.

Part 807 Landfills

8. Mr. Hunsberger’s pre-filed testimony on behalf of Land and Lakes Company states, “Based on information received from the Illinois EPA in response to a Freedom of Information Act (FOIA) request, as of 05/22/2025, there are ninety-seven (97) Part 807 solid waste landfills in Illinois that have not completed post-closure care. Of these, thirty-four (34) are closed, but not certified closed, and sixty-three (63) are in post-closure (including Land and Lakes 1 & 2).” Hunsberger Test. at 2.
- a. Does the Agency have records regarding ownership information for the Part 807 landfills listed in Attachment A of Hunsberger’s testimony?
 - b. If so, please provide a breakdown in terms of those facilities owned by private companies and those owned by municipalities, and if ownership changed during the life of these landfills, please provide all ownership data the Agency has maintained.
 - c. Please clarify whether all or some of the 34 closed Part 807 landfills awaiting closure certification are still monitoring groundwater.
 - d. If so, would they be required to monitor PFAS constituents going forward?
 - e. If they are not monitoring groundwater, please comment on the status of the closed landfills in terms of closure certification.
 - f. Please comment on whether the 63 closed Part 807 landfills conducting postclosure monitoring would be required to monitor PFAS constituents as a part of their routine quarterly/semiannual/annual groundwater monitoring.
 - g. Comment on whether adding PFAS constituents to monitoring list for Part 807 landfills would impact the postclosure care period.

- h. Comment on whether all closed Part 807 landfills subject to financial assurance requirements under 35 Ill. Adm. Code 807.600 for closure and post-closure care for Part 807 landfills. If so, would the addition of PFAS sampling trigger a revision in the closure care estimate under Section 807.621, and 807.622(b)?
 - i. Considering that Part 807 landfills were closed more than 30 years ago without upgrading to comply with the requirements of Parts 814 and 811, please comment on the merits of requiring them to comply with Part 620 PFAS standards if they are not impacting any downgradient sources of drinking water, including community water supply wells and private potable water wells.
9. Mr. Hunsberger's pre-filed testimony raises concerns of how Part 807 landfills will fund PFAS monitoring and remediation. Hunsberger Test. at 1. Mr. Hunsberger testified specifically about Land and Lakes landfill 1 & 2, but testifies generally about Part 807 landfills and monitoring, corrective action and costs associated with those landfills. *Id.* at 2.
- a. Did privately-owned Part 807 landfills generate revenue during their active life? If yes, how many such landfills in the state generated revenue and how many did not? Please provide an estimated range of revenue generated during the active life of these landfills.
 - b. Did municipally-owned Part 807 landfills generate revenue during their active life? If yes, how many such landfills in the state generated revenue and how many did not? Please provide an estimated range of revenue generated during the active life of these landfills.

Eric Ballenger (NWRA)

10. On page 2 of your testimony, you note that your management areas other than Illinois consist of the States of Arkansas, Indiana, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin.
- a. Please comment on whether any of the above states have PFAS groundwater quality standards.
 - b. If so, how do other states' PFAS standards compare to Part 620 PFAS standards?
 - c. Do PFAS standards in other states apply to landfills?
 - d. If these states have PFAS standards for landfills, is corrective action required in any of these states if PFAS sampling exceeds the threshold standards?
11. On page 7 of your testimony, you state there have been no confirmed leachate leaks from a RCRA Subtitle D compliant liner system.

- a. Please clarify whether this assertion applies to Subtitle D landfills owned by Republic Services or to all Subtitle D landfills in the state.
 - b. If there is no concern of leakage of leachate from subtitle D compliant landfills, comment on whether concerns associated with the Part 620 PFAS standards are limited Part 814 Subpart D landfills.
12. On page 7 of your testimony, you note that currently there are approximately 15 landfills undergoing assessment monitoring, which differs from IEPA's estimate of 10 landfills in assessment monitoring mode. Please identify the 15 landfills.
13. On page 7 of your testimony, you state that it is "reasonable to assume that if the assessment monitoring results in the establishment of a groundwater management zone or a corrective action, these sites will detect PFAS constituents in downgradient monitoring wells above the Class I groundwater quality standards". Please explain the basis for this statement. Do you think that there should be some monitoring of PFAS in downgradient wells to substantiate this statement?
14. On page 8 of your testimony, you state that at present "no listed landfill is monitoring the groundwater for PFAS constituents, as no regulatory program has required such testing. Therefore, there is no groundwater quality information at the landfills for PFAS constituents."
 - a. Please clarify whether "listed landfills" are those in Tables 1 and 2 of your testimony.
 - b. If so, are you aware of any groundwater PFAS data at landfills located in other states that show PFAS levels above Part 620 standards?
15. On page 8, you note that Table 3 provides a list of NWRA-member facilities that will be required to monitor PFAS constituents in groundwater, leachate, and stormwater discharge if the exemptions at Sections 620.410(f) and 620.420(e) are eliminated.
 - a. Please clarify if all landfills listed in Table 3 are conducting assessment monitoring.
 - b. If not, please explain why existing landfills performing detection monitoring would be required to monitor for PFAS for reasons other than establishing background concentrations.
 - c. Does Table 3 include landfills listed in Tables 4 and 5?
16. On page 19 of your testimony, you state that the additional incremental cost for landfills in Illinois associated with PFAS groundwater and leachate monitoring was estimated by assuming PFAS constituents will be added to the List G2 parameters analyzed pursuant

to the permit (semi-annual for Parts 811 and 814 Subpart C programs, and annually for Part 814 Subpart D programs).

- a. Please explain the basis for assuming that PFAS constituents will be added to the List G2 parameters if Parts 811 and 814 Subpart C landfills are not performing assessment monitoring.
 - b. Is there any merit to specifying less frequent monitoring requirement for PFAS at Parts 811 and 814 Subpart C landfills to reduce the cost impacts?
17. On Page 33, you state that “any site that does not contain a composite liner system is susceptible to impacts from PFAS constituents due to the extremely low standards. The sites containing units constructed pursuant to Part 814, Subpart D fit that description. There are 24 sites/units listed as being regulated pursuant to Part 814, Subpart D; seven of the 24 sites are known to already be in assessment or corrective action.”
 - a. Please clarify whether all 24 Subpart D sites/units are currently closed with a final cover and implementing post closure care.
 - b. Do you expect 17 of the 24 Subpart D units/sites which are under detection monitoring to be subject to assessment monitoring before the end of their postclosure care period to be subject to PFAS monitoring?
 - c. Are any of these 24 Subpart D landfills located within close proximity of drinking water well setback zones or over Class I groundwater aquifers like Mahomet aquifer? If so, should these landfills be required to monitor for PFAS to protect drinking water sources?
 - d. Please comment on whether you see any merit in prioritizing the application of PFAS groundwater standards by differentiating between Subtitle D/Subpart C complaint landfills and Part 814, D landfills.

Brad Hunsberger (Land and Lakes)

18. On page 1, you raise concerns of how Part 807 landfills will fund PFAS monitoring and remediation specifically about Land and Lakes landfill 1 & 2, but also generally about Part 807 landfills and monitoring, corrective action and costs associated with those landfills.
 - a. Did Land and Lakes landfill 1 & 2 generate revenue during its active life? If so, how much revenue did it generate until its closure in 1994?
19. On page 2, you state that there are 97 Part 807 solid waste landfills in Illinois, of which 63 are conducting postclosure care and 34 are closed but awaiting closure certification.

- a. Are any of the 97 Part 807 landfills located within close proximity of drinking water well setback zones or over Class I groundwater aquifers like Mahomet aquifer?
- b. If so, should these landfills be required to monitor for PFAS to protect drinking water sources?
- c. Regarding the 34 closed landfills awaiting certification, are you aware of why these landfills are not certified as closed?