

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	R 2022-018(A)
PROPOSED AMENDMENTS TO)	
GROUNDWATER QUALITY)	(Rulemaking – Public Water Supply)
(35 ILL. ADM. CODE 620))	

NOTICE OF FILING

To: ALL PARTIES ON THE SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **WRITTEN ANSWERS OF ERIC BALLENGER ON BEHALF OF NATIONAL WASTE & RECYCLING ASSOCIATION**, copies of which are hereby served upon you.

Dated: August 11, 2025

**NATIONAL WASTE
& RECYCLING ASSOCIATION**

By: /s/Scott B. Sievers
Scott B. Sievers

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**WRITTEN ANSWERS OF ERIC BALLENGER ON BEHALF OF
NATIONAL WASTE & RECYCLING ASSOCIATION**

My name is Eric Ballenger. On July 25, 2025, I provided written testimony on behalf of the National Waste and Recycling Association – Illinois Chapter (“NWRA”) in response to the list of eight (8) questions posed by the Illinois Pollution Control Board (“Board”) in its May 15, 2025, Opinion and Order. I now am providing the following answers to the questions directed to me that were attached to the August 6, 2025, Hearing Officer Order issued in response to my previously filed, pre-written testimony.

Answers to Questions:

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.

RESPONSE: Minnesota has PFAS groundwater quality standards.

- b. If so, how do other states’ PFAS standards compare to Part 620 PFAS standards?

RESPONSE: Minnesota has similar concentration limits to Part 620 and the maximum contaminant levels (MCLs).

- c. Do PFAS standards in other states apply to landfills?

RESPONSE: Yes, the PFAS standards in Minnesota 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?

RESPONSE: Yes, if PFAS sampling exceeds the threshold standards in Minnesota, corrective action is required.

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.

RESPONSE: Based on conversations with the Illinois EPA staff, the statement applies to all landfills with Subtitle D compliant liner systems.

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.

RESPONSE: There are concerns for any waste unit that does not contain Subtitle D compliant liner systems. In addition, there are concerns for Part 811 and 814 Subpart C landfills with respect to the effects to the Groundwater Impact Assessments.

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.

RESPONSE:

Sites conducting corrective action also were considered to be in assessment monitoring, as that indicates influences to the groundwater quality by the waste unit. The following sites were believed to be in assessment or corrective action and are an approximation:

- Belleville Landfill Inc.
- BFI Davis Junction
- Brickyard Disposal and Recycling Unit I
- Congress Development Co.
- DeKalb County Landfill

- Dixon/GROP Phase II
- Eco Hill Landfill
- Envirofil if IL Landfill Inc.
- Envotech – Illinois LLC
- ERC/Coles County Landfill
- Roxana Landfill, LLC
- Sangamon Valley Landfill - Area 1
- Settlers Hill RDF
- Tazewell RDF
- Winnebago Landfill – Northern and Southern Unit

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?

RESPONSE: Based on published information and my experience with at least one of our landfills in Michigan, PFAS constituents exhibit minimal to no degradation and attenuation during transport. Therefore, if solutes or other constituents attributable to the landfill unit are detected in downgradient monitoring wells, it is reasonable to assume PFAS constituents will also be detected, especially with such low limits, and as PFAS constituents are present in municipal solid waste leachate.

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.

RESPONSE: Yes, that is correct, the listed landfills are those provided in Tables 1 and 2 of my 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?

RESPONSE: Yes, some landfills in Minnesota and Michigan 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.

RESPONSE: No, Table 3 was identifying NWRA-member landfills that will need to test for PFAS constituents if the exemptions are lifted and does not identify what sites may be conducting assessment activities.

- 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.

RESPONSE: Illinois EPA has yet to identify how PFAS constituents would be incorporated into the permit and on what parameter lists those would occur. It was presumed the subject constituents would be included in the G2 parameter list monitored on a semi-annual basis. In addition, if the groundwater impact assessment fails as a result of the low standards, sampling of the constituents in downgradient wells may be necessary in order to calibrate the contaminant transport model.

- c. Does Table 3 include landfills listed in Tables 4 and 5?

RESPONSE: Yes.

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.

RESPONSE: Illinois EPA has yet to identify how PFAS constituents would be incorporated into the permit and on what parameter lists those would occur. It was presumed the subject constituents would be included in the G2 parameter list monitored on a semi-annual basis.

- 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?

RESPONSE: Yes. There has been some discussion of only requiring the PFAS constituents as part of assessment monitoring pursuant to 35 Ill. Adm. Code 811.319(b).

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.

RESPONSE: The reference to the 24 Subpart D sites and seven sites in assessment or corrective action was not updated prior to submittal. The number of sites regulated pursuant to Part 814 Subpart D should be 42 as identified in Table 5. As

provided in the response to Question 12 above, there are approximately 15 Part 814 Subpart D landfills already in assessment or corrective action.

Unless the Subpart D unit is contiguous with a Subpart C unit, the Subpart D unit should be closed with final cover. However, I cannot testify to the exact number.

- 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 post closure care period to be subject to PFAS monitoring?

RESPONSE: Please see the response to Question 17(a) for the actual number of referenced sites. The answer to that will depend in part on how Illinois EPA applies the constituents to the differing parameter lists. It also depends on site-specific characteristics, including the hydrogeologic characteristics. Please see the response to Question 13.

- 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?

RESPONSE: I do not have immediate access to this information. The question may be better posed to Illinois EPA.

- 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.

RESPONSE: There may be some merit to prioritizing the application of the PFAS constituent. This would require appropriate discussion and planning.

Dated: August 11, 2025

**NATIONAL WASTE
& RECYCLING ASSOCIATION**

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*In the Matter of Proposed Amendments to
Groundwater Quality (35 Ill. Adm. Code 620)
for Landfills under 35 Ill. Adm. Code 811, 814
Pollution Control Board No. R2022-018(A)*

CERTIFICATE OF SERVICE

Scott B. Sievers of the law firm of Brown, Hay + Stephens, LLP herein certifies that on August 11, 2025, from Springfield, Illinois, he electronically submitted for filing the foregoing **WRITTEN ANSWERS OF ERIC BALLENGER ON BEHALF OF NATIONAL WASTE & RECYCLING ASSOCIATION** with the Pollution Control Board by using the Clerk's Office On-Line (COOL) eFile system. Scott B. Sievers further certifies that, on August 11, 2025, he served the other parties in this case with a copy of the foregoing document by transmitting the documents by e-mail to those on the attached service list.

Dated: August 11, 2025

By: s/Scott B. Sievers
Scott B. Sievers

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