

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R 2022-18(A)
PROPOSED AMENDMENTS TO)
GROUNDWATER QUALITY) (Rulemaking)
35 ILL. ADM. CODE 620 (SUBDOCKET A))

NOTICE

TO: Don A. Brown, Clerk
Illinois Pollution Control Board
60 E. Van Buren Street
Suite 630
Chicago, Illinois 60605
(VIA ELECTRONIC MAIL)

Chloe Salk, Hearing Officer
Vanessa Horton, Hearing Officer
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See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board Illinois Environmental Protection Agency's Responses to Illinois Pollution Control Board's September 10, 2025 Order, a copy of which are herewith served upon you along with this notice.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
Trevor D. Dell'Aquila
Assistant Counsel
Division of Legal Counsel

DATED: September 16, 2025
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R 2022-18(A)
PROPOSED AMENDMENTS TO)
GROUNDWATER QUALITY) (Rulemaking)
35 ILL. ADM. CODE 620 (SUBDOCKET A))

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S RESPONSES TO ILLINOIS
POLLUTION CONTROL BOARD'S SEPTEMBER 10, 2025 ORDER**

**Illinois Environmental Protection Agency's ("IEPA" or "Agency") Responses to the Illinois
Pollution Control Board's (the "Board") questions raised in its September 10, 2025 Order:**

The Illinois EPA submits this response to address the Board's eight specific questions regarding the addition of six per- and polyfluoroalkyl substances ("PFAS") constituents to 35 Illinois Administrative Code Part 620 ("Part 620") and the implications for 35 Illinois Administrative Code Parts 807, 811, and 814 ("Part 807", "Part 811", and "Part 814") landfill programs provided in the Board's Order dated September 10, 2025. The response is based on current data, existing regulations, and current cost estimates available to the Illinois EPA.

Board Question No. 1:

1. IEPA states that it "does not believe the recent adoption of Class I and Class II groundwater quality standards in Part 620 for six PFAS constituents renders compliance with Parts 811 and 814 technically or economically infeasible and the Agency supports removal of the exemptions in Sections 620.410(f) and 620.420(e) for landfills subject to Part 811 or Part 814." 07/25/25 IEPA Resp. at 2.
 - a. Please comment on whether IEPA's belief regarding economic reasonableness extends to Part 807 landfills, which stopped accepting wastes more than 30 years ago.

Agency Response:

- The Agency's position would apply to all landfills currently subject to permitting. The Agency's view is that protecting groundwater from PFAS is equally important to older sites.
- b. Given that the Part 807 landfills were required to initiate closure by October 1994 without conducting any groundwater impact assessment or liner upgrades,

comment on the technical feasibility of these landfills to comply with Part 620 PFAS standards.

Agency Response:

The technical feasibility for Part 807 landfills to comply with PFAS standards is achieved through available technologies. From a monitoring standpoint, it is technically feasible to sample groundwater at these sites for PFAS using existing wells or by installing additional wells if needed. As the Agency has noted, potential sampling interferences can be mitigated by following proper PFAS-specific protocols allowing use of existing well networks without wholesale replacement. If monitoring confirms a leachate impact accompanied by PFAS, the site would be required to conduct assessment monitoring and, if necessary, perform corrective action – steps that are provided for under existing regulations. Additional wells may need to be installed to determine the nature and extent of contamination and a groundwater management zone (GMZ) could be implemented. While remediation at an unlined landfill can be complex, potentially involving pump and treat systems, source removal, or long-term containment, these measures are technically feasible.

Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a), prohibits any person from causing or allowing contamination of groundwater such that standards are violated and as required in Section 807.313 - no landfill shall be operated in a manner that causes the discharge of contaminants into the environment. If a Part 807 landfill is found to be causing PFAS pollution, the Agency has the authority to require action despite the site's age.

Prior updates to Part 620, which added new contaminants and respective groundwater quality standards, have been health-based and required without exemption. IEPA's position that the removal of the PFAS exemption for Part 811/814 landfills was necessary and appropriate and by the same token, extending a new exemption to Part 807 would be inappropriate given the objective of the groundwater standards.

Lastly, while acknowledging that the feasibility of remediation at some older sites could be limited by technical and financial constraints, any inability of a particular site to meet standards could be addressed via the Board's established processes and mechanisms for regulatory relief rather than broad regulatory exemptions.

Board Question No. 2:

2. In the main docket of this rulemaking, while addressing the “immediate impact” of adopting the PFAS groundwater quality standards, IEPA stated that it agreed with the Board’s conclusion at first notice,

“For facilities that may be impacted by the groundwater standards, **compliance and any potential remediation** will be addressed under specific programs like Part 811 and 814 landfills, the Site Remediation Program and the Underground Storage Tank program. Following the adoption of the proposed amendments to Part 620, **the Agency will identify and develop amendments needed in other rules addressing specific programs**. Additionally, where appropriate, regulatory relief mechanisms such as the adjusted standard process are available. PCB R22- 18, First Notice at 68 (March 7, 2024). PC 78 at 19 (emphasis added).

- a. If the Board finds the application of Part 620 PFAS standards to Parts 807, 811 and 814 landfills to be economically reasonable and removes the landfill exemptions at Sections 620.410(f) and 620.420(e), please comment on whether IEPA still plans to identify, and develop amendments to address “compliance and potential remediation” issues associated with landfills subject to Parts 807, 811, and 814.

Agency Response:

If the landfill exemptions at Sections 620.410(f) and 620.420(e) were removed the Agency would still evaluate Parts 807, 811, and 814 to identify and develop any amendments needed to Parts 807, 811, and 814 in light of the changes that have been made to Part 620. This approach is consistent with IEPA’s earlier position, and the Board’s Second Notice Order statements that adopting the PFAS standards in Part 620 would likely necessitate follow-up adjustments in the specific program rules. See 1/23/25 Board Order at p. 6. While the Agency acknowledges updates to other program rules are necessary to reflect the updates to Part 620, the Agency also acknowledges Part 620 applies to all groundwater during the interim until those updates are made.

- b. If so, please describe the potential changes to the existing rules (Parts 807, 811, and 814) that IEPA is considering to address compliance and remediations issues associated with implementation of Part 620 PFAS standards.

Agency Response:

The Agency needs additional time to respond to Question 2.b.

- c. Would it be possible to consider any potential changes to the landfill rules in this rulemaking?

Agency Response:

The Agency has not yet developed any amendments to the Board's landfill regulations in light of the amendments to Part 620. It will take several months to develop draft amendments and conduct outreach with stakeholders. Given the timing, and the fact that the Agency would be proposing amendments to Parts of the Board's rules other than Part 620, from a procedural standpoint the Agency would prefer that a new, separate docket be opened for landfill rule amendments.

Board Question No. 3:

3. In response to Board questions 8c and 8d regarding the 34 closed Part 807 landfills awaiting closure certification, IEPA states that groundwater monitoring is required at these landfills in accordance with their respective operating permits and PFAS constituents specified in Part 620 must be monitored annually along with all other Part 620 constituents. 8/12/25 IEPA Resp. at 12.
 - a. Please comment on whether IEPA will have to modify the operating permits of the closed landfills to implement annual PFAS monitoring at these sites.

Agency Response:

Depending on the wording of each permit, the Agency may need to update operating permits to ensure all Part 620 constituents are included in the monitoring list.

- b. If so, would PFAS monitoring further delay the closure certification of the closed landfills?

Agency Response:

No.

- c. Please comment on whether IEPA has reached out to the owners or operators of closed Part 807 landfills regarding PFAS monitoring.

Agency Response:

The Agency has discussed the impact of the addition of PFAS to Part 620 with some stakeholders whose landfills are subject to Part 807. However, the Agency has not yet reached out to all Part 807 landfills.

Board Question No. 4:

4. IEPA states that 63 closed Part 807 landfills conducting postclosure monitoring would be required to monitor PFAS as a part of their routine quarterly/semiannual/annual groundwater monitoring as there is no exemption provided in Part 620. 8/12/25 IEPA Resp. at 13.
 - a. Please comment on whether IEPA will have to modify the operating permits of the closed landfills conducting postclosure care to implement PFAS monitoring.

Agency Response:

Please see the Agency's response to Question 3.a.

- b. If so, comment on whether IEPA has reached out to the owners or operators of affected landfills regarding PFAS monitoring.

Agency Response:

Please see the Agency's response to Question 3.c.

Board Question No. 5:

5. In response to Board question 8b regarding facilities owned by private companies and those owned by municipalities, IEPA stated that "the Agency has records reflecting landfill ownership information for Part 807 landfills. Although the Agency maintains these records, ownership changes during the life of these landfills are not readily available." 8/12/25 IEPA Resp. at 12. Would it possible for the Agency to access the ownership records and provide a list of Part 807 landfills owned by private companies and municipalities?

Agency Response:

Lists for municipal and private owned Part 807 landfills are attached hereto respectively as Attachment A and Attachment B. The Agency estimates there are 31 municipally-owned landfills and 68 privately-owned landfills.

Board Question No. 6:

6. Considering that Part 807 landfills were required to begin closure under 35 Ill. Adm. Code Part 814.501 by October 1994,
- a. Please explain why so many of them are still in postclosure care or not certified as closed.

Agency Response:

Landfills that are still in post-closure care or not certified as closed have not yet submitted information to demonstrate, or perhaps cannot yet demonstrate, that they have met the standards to certify closure or that the post-closure care period has ended. Once an operator has met the requirements of their post-closure care plan and demonstrated that the site will not cause future violations of the Act or Part 807, they can seek Agency approval to certify that the post-closure care period has ended. Section 807.524(c) requires the Agency certify the post-closure care period has ended. The Agency has certified the completion of post-closure care requirements for those landfills that have demonstrated they have met the required standards.

- b. If compliance with Part 620 standards is the main issue for continued groundwater monitoring at these facilities, comment on how many of these landfills are in assessment monitoring or conducting corrective action.

Agency Response:

The Agency needs additional time to respond to Question 6.b.

- c. Has IEPA approved groundwater management zones (GMZs) for any Part 807 landfills to address groundwater contamination? If so, please submit any available GMZ information.

Agency Response:

The following is a table of established GMZs for Part 807 landfills with information relating to the Agency ID No., facility name, and location.

| Illinois EPA ID No. | Facility Name | Closest Municipality | County |
|---------------------|-----------------------|----------------------|--------|
| 0050050001 | D & L Landfill | Greenville | Bond |
| 0018010001 | Quincy Municipal 4 | Quincy | Adams |
| 0070050006 | Belvidere Municipal 2 | Belvidere | Boone |
| 0110850001 | Princeton Municipal | Princeton | Bureau |
| 0310630001 | Des Plaines Landfill | Des Plaines | Cook |

| | | | |
|------------|--|-------------|-------------|
| 0418080002 | Equistar Chemicals | Tuscola | Douglas |
| 0678150001 | Carthage Muni | Carthage | Hancock |
| 0838000001 | Principia College | Elsah | Jersey |
| 0958160002 | Knox County Landfill Combined Phase I/II | Oneida | Knox |
| 1158040008 | Advanced Disposal Valley View Landfill | Decatur | Macon |
| 1618100004 | East Moline Municipal | East Moline | Rock Island |
| 1770200002 | Freeport Municipal 2 & 3 | Freeport | Stephenson |
| 1958140003 | Whiteside County Landfill #2 | Morrison | Whiteside |

Board Question No. 7:

7. In response to Board question 8h, IEPA states, “under Section 21.1 of the Illinois Environmental Protection Act and 35 Ill. Adm. Code 807.601(a), the State, its agencies, and units of local government are exempt from financial assurance requirements for closure and post-closure care of Part 807 landfills.”

- a. Please clarify whether the exemption also applies to any corrective action at Part 807 landfills.

Agency Response:

Part 807 does not require any separate financial assurance for corrective action. The exemption for financial assurance applies to all activities required to be undertaken by a municipality.

- b. Comment on whether groundwater monitoring and corrective action related to PFAS would place a significant financial burden on municipalities/local governments that own Part 807 landfills, especially since they are not required to have financial assurance.

Agency Response:

The Agency needs additional time to respond to Question 7.b.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
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Division of Legal Counsel

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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state the following:

I have served the attached Illinois Environmental Protection Agency's Responses to Illinois Pollution Control Board's September 10, 2025 Order upon the following:

See attached Service List

I affirm that my e-mail address is trevor.dellaquila@illinois.gov; the number of pages in the e-mail transmission is 17; and the e-mail transmission took place before 5:00 p.m. on September 16, 2025.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
Trevor D. Dell'Aquila
Assistant Counsel
Division of Legal Counsel

DATED: September 16, 2025
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ATTACHMENT A**MUNICIPAL AND LOCAL GOVERNMENT PART 807 LANDFILLS****PART 807 PERMITTED SOLID WASTE LANDFILLS, CLOSED, BUT NOT CERTIFIED CLOSED**

| Object ID | Site ID | Site Name | County |
|------------------|----------------|------------------|---------------|
| 1 | 0894380008 | Elgin Municipal | Kane |

PART 807 PERMITTED SOLID WASTE LANDFILLS PERMITTED, IN POST-CLOSURE

| Object ID | Site ID | Site Name | County |
|------------------|----------------|---|---------------|
| 2 | 0070050006 | Belvidere Municipal 2 | Boone |
| 3 | 0110850001 | Princeton Municipal Landfill | Bureau |
| 4 | 0111100001 | Walnut Municipal | Bureau |
| 5 | 0198110001 | Rantoul Municipal Landfill | Champaign |
| 6 | 0316000008 | Stearns Quarry | Cook |
| 7 | 0478580001 | Edwards County Landfill | Edwards |
| 8 | 0678150001 | Carthage Muni | Hancock |
| 9 | 0818020004 | Mt Vernon Municipal 3 | Jefferson |
| 10 | 0850150003 | Elizabeth Municipal 2 | JoDaviess |
| 11 | 0890350001 | Midway Landfill 1 | Kane |
| 12 | 0890350003 | Midway Landfill 2 (and 3) | Kane |
| 13 | 0958160002 | Knox County Landfill Combined Phase I/II | Knox |
| 14 | 0972000001 | Zion Municipal 1 | Lake |
| 15 | 0972000003 | Zion Municipal 2 | Lake |
| 16 | 0990850002 | Peru Municipal 2 | LaSalle |
| 17 | 1118010002 | McHenry Co Sanitary Landfill | McHenry |
| 18 | 1190250001 | Edwardsville Municipal | Madison |

| | | | |
|----|------------|-----------------------------|-------------|
| 19 | 1218130003 | Salem Community Landfill | Marion |
| 20 | 1218130007 | Salem Municipal Landfill 2 | Marion |
| 21 | 1278540004 | Metropolis Municipal | Massac |
| 22 | 1378020004 | Jacksonville Municipal 3 | Morgan |
| 23 | 1618100004 | East Moline Municipal | Rock Island |
| 24 | 1770200002 | Freeport Municipal 2 & 3 | Stephenson |
| 25 | 1818520001 | Anna Municipal | Union |
| 26 | 1878080001 | Monmouth Landfill | Warren |
| 27 | 1958140003 | Whiteside County Landfill 2 | Whiteside |
| 28 | 1998580001 | Herrin Municipal Landfill | Williamson |
| 29 | 1998620012 | Marion Municipal 4 | Williamson |
| 30 | 2010300025 | Rockford Airport - Unit I | Winnebago |

OTHER PART 807 SOLID WASTE LANDILLS

| Object ID | Site ID | Site Name | County |
|------------------|----------------|----------------------|---------------|
| 31 | 0310450001 | Chicago Heights Muni | Cook |

ATTACHMENT B**PRIVATE PART 807 LANDFILLS****PART 807 PERMITTED SOLID WASTE LANDFILLS, CLOSED, BUT NOT CERTIFIED CLOSED**

| Object ID | Site ID | Site Name | County |
|------------------|----------------|-------------------------------------|---------------|
| 1 | 0178050001 | Lewis | Cass |
| 2 | 0298050006 | Western Lion Ltd | Coles |
| 3 | 0298080001 | Kaufman Landfill | Coles |
| 4 | 0310450011 | Fitzmar Landfill Inc | Cook |
| 5 | 0310690005 | Cottage Grove Landfill | Cook |
| 6 | 0316000033 | Paxton Landfill Corp 2 | Cook |
| 7 | 0418030001 | Multi-County Landfill | Douglas |
| 8 | 0598030001 | Lambert | Gallatin |
| 9 | 0838030003 | Pointer | Jersey |
| 10 | 0998330001 | Fredericks Dump Site | LaSalle |
| 11 | 1058070001 | Ocoya Sanitary Landfill | Livingston |
| 12 | 1078020002 | Logan Landfill Inc (aka Landers LF) | Logan |
| 13 | 1158010001 | Waste Hauling Landfill | Macon |
| 14 | 1158020001 | Bath Inc | Macon |
| 15 | 1158020005 | Waste Control | Macon |
| 16 | 1170150002 | Carlinville Landfill | Macoupin |
| 17 | 1178130001 | Stauton Landfill Inc | Macoupin |
| 18 | 1190100001 | Owens-Brockway Glass Container | Madison |
| 19 | 1214220003 | Centralia Env | Marion |
| 20 | 1218020002 | Prior-Blackwell | Marion |
| 21 | 1218020006 | Prior/Peabody Mine 5 | Marion |
| 22 | 1358090001 | Donley Inc | Montgomery |
| 23 | 1358150003 | Bishop Landfill | Montgomery |
| 24 | 1530150002 | Delta Regional Landfill | Pulaski |
| 25 | 1598070005 | Ochs 2 | Richland |
| 26 | 1618000001 | Watts Landfill | Rock Island |

| | | | |
|----|------------|----------------------------|-----------|
| 27 | 1630100001 | Roesch Inc | St. Clair |
| 28 | 1630100002 | J&R Landfill Inc | St. Clair |
| 29 | 1638160001 | Bi State Disposal Inc | St. Clair |
| 30 | 1838070002 | Tweedy 1 | Vermilion |
| 31 | 1938010002 | White County Landfill 2 | White |
| 32 | 1970450003 | Carlstrom | Will |
| 33 | 2010300008 | Nimtz Quarry | Winnebago |

PART 807 PERMITTED SOLID WASTE LANDFILLS PERMITTED, IN POST-CLOSURE

| Object ID | Site ID | Site Name | County |
|------------------|----------------|-----------------------------------|---------------|
| 34 | 0050050001 | D&L Landfill Inc | Bond |
| 35 | 0310450009 | Chicago Heights Refuse Depot | Cook |
| 36 | 0310630001 | Des Plaines Landfill | Cook |
| 37 | 0311590001 | Prairie/Lansing Landfill | Cook |
| 38 | 0311620027 | Northeast Illinois Railroad Co | Cook |
| 39 | 0314520001 | 31st Street Landfill | Cook |
| 40 | 0316000005 | Land & Lakes 1&2 | Cook |
| 41 | 0398080005 | Clinton Landfill Inc | DeWitt |
| 42 | 0418080002 | Equistar Chemicals | Douglas |
| 43 | 0558020005 | Risley 2 | Franklin |
| 44 | 0670650005 | Finton 2 | Hancock |
| 45 | 0798090002 | Bergbower | Jasper |
| 46 | 0838000001 | Principia College | Jersey |
| 47 | 0838040001 | Jersey Sanitation Corp | Jersey |
| 48 | 0970900001 | Lake County Grading Co LLC | Lake |
| 49 | 0978110002 | US Naval Training 2 | Lake |
| 50 | 1058040001 | Diller-Prinsco | Livingston |
| 51 | 1058220007 | Streator Area Landfill | Livingston |
| 52 | 1130950001 | Bradd | McLean |
| 53 | 1158020006 | Rhodes | Macon |
| 54 | 1198010020 | Chain of Rocks South Phase 1 | Madison |
| 55 | 1318030001 | Viola Landfill | Mercer |
| 56 | 1318130001 | Spencer | Mercer |

| | | | |
|----|------------|-------------------------------------|-------------|
| 57 | 1350150002 | White & Brewer Trucking | Montgomery |
| 58 | 1358030006 | White & Brewer Trucking Cell A-D | Montgomery |
| 59 | 1598070001 | Ochs 1 & 2 Landfills | Richland |
| 60 | 1610400007 | Quad Cities Landfill Ph 1 2 & 3 | Rock Island |
| 61 | 1631000003 | PBT Landfill- SE Unit | St. Clair |
| 62 | 1678250016 | Buerkett 2 | Sangamon |
| 63 | 1918080001 | Daubs Landfill 1 | Wayne |
| 64 | 1970450027 | Joliet Army Ammunition Plant | Will |
| 65 | 1978170005 | CDT Landfill | Will |
| 66 | 1998580002 | Hindman Landfill | Williamson |

OTHER PART 807 SOLID WASTE LANDILLS

| Object ID | Site ID | Site Name | County |
|------------------|----------------|------------------------------|---------------|
| 67 | 0310450005 | Triem Ind Bldgs Operation | Cook |
| 68 | 0316000002 | Paxton Landfill Corp | Cook |