

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
PROPOSED AMENDMENTS TO) R 2022-18(A)
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 Illinois Pollution Control Board 60 E. Van Buren Street Suite 630 Chicago, Illinois 60605 (VIA ELECTRONIC MAIL)
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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 Supplemental 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
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Division of Legal Counsel

DATED: September 30, 2025
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

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

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

The Illinois EPA submits these supplemental responses to address three of the Board's 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. These supplemental responses include the Agency's original responses filed on September 15, 2025, alongside the supplemental responses to Questions 2.b., on page 5, 6.b. on page 7, and 7.b. on page 9. These supplemental responses are 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.

Original 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.

Original 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.

Original 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.

Original Agency Response:

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

Supplemental Agency Response:

The Agency has not yet developed a list of specific changes being considered. Input from this proceeding will inform any proposals, but areas under review to evaluate potential impacts from the addition of PFAS to Part 620 include requirements pertaining to leachate monitoring, gas monitoring, groundwater monitoring, and groundwater impact assessments.

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

Original 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.

Original 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?

Original 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.

Original 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.

Original 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.

Original 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?

Original 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.

Original 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.

Original Agency Response:

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

Supplemental Agency Response:

Compliance with Part 620 has been the driver for ongoing monitoring at these facilities. At present, the Agency is not aware of any Part 807 facilities conducting an assessment monitoring program comparable to that required under Part 811. However, there are 13 Part 807 facilities subject to corrective action (see Table in Agency Response to Board Question 6.c below) for groundwater impacts above Part 620 standards.

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.

Original 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.

Original 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.

Original Agency Response:

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

Supplemental Agency Response:

Any PFAS-related costs incurred by municipal owners arise from the same legal and technical requirements that apply to privately owned facilities. Thus, whether PFAS-related groundwater monitoring and corrective action would constitute a “significant” financial burden for any particular municipalities/local governments that own Part 807 landfills is not something the Agency can determine in the abstract, and any such requirements are not uniquely burdensome to municipal owners. The costs are inherently site-specific and depend on factors such as the extent and nature of any release, hydrogeologic setting, and scope/duration of corrective measures selected. Ownership status, by itself, does not change the technical obligations that apply under the Board’s rules.

With respect to financial assurance, the statutory and regulatory exemption for the State, its agencies, and units of local government (Section 21.1 of the Act and 35 Ill. Adm. Code 807.601(a)) does not relieve municipal owners of any duty to perform monitoring or corrective action when required. Financial assurance is a third-party backstop to protect the State if an owner fails to perform and is not the mechanism by which an owner funds its own compliance. There is no separate financial assurance requirement targeted specifically at corrective action in Part 807 and municipalities remain fully obligated to undertake monitoring and corrective action notwithstanding the financial assurance exemption. Where appropriate, and as noted by the Board in the January 23, 2025 Proposed Rule Second Notice and again provided in the Agency’s response to the May 15, 2025 Board Order, to the extent that impacted facilities find compliance to be onerous, there are several regulatory relief options available to individual sites where needed. See 01/23/2025 Opinion and Order of the Board, pg. 15, and 07/25/2025 Illinois EPA’s Responses to the Board’s May 15, 2025 Order, pg. 3, in R22-18(A).

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Trevor D. Dell'Aquila
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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 Supplemental 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 18; and the e-mail transmission took place before 5:00 p.m. on September 30, 2025.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

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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	Staunton 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