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November 27, 2012

Emily McAsey
STATE REPRESENTATIVE • 85TH DISTRICT

Illinois Pollution Control Board
Thomas Holbrook, Chairman
Office of the Clerk
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794

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DEC 05 2012
STATE OF ILLINOIS
Pollution Control Board
PC# 64

RE: R12-9(B) Proposed Amendments to Clean Construction or Demolition Debris Fill Operations (CCDD)

Dear Chairman Holbrook:

I respectfully request and strongly encourage the members of the Illinois Pollution Control Board (IPCB) to amend the CCDD rule adopted by the Board on August 23, 2012 to include ground water monitoring at CCDD sites.

As you know Public Act 96-1416 provided for the first time the statutory language that governs how CCDD sites are regulated and monitored in Illinois. The General Assembly gave the Illinois Environmental Protection Agency (IEPA) and the IPCB the authority to develop the necessary rules and regulations that would provide the standards for certifying soil and materials at CCDD sites. In addition the law specifically stated that the rules must include standards and procedures necessary to protect ground water. The exclusion of ground water monitoring requirements in the rules adopted by the IPCB on August 23rd of this year unfortunately fall short of what the legislature had intended when drafting this bill.

Requiring CCDD sites to install ground water monitoring systems provides the necessary checks and balances to ensure that local community water supplies are protected and safe from contamination. I believe that the IEPA, Will County and other respondents have provided ample data and evidence that demonstrates that ground water monitoring costs are reasonable and not excessive.

It is my sincere hope that the Board will take into consideration the additional information presented in this sub-docket and propose an amendment to the existing CCDD rules that will include ground water protections.

Sincerely,

Handwritten signature of Emily McAsey in black ink.
Emily McAsey
State Representative, 85th District