

Minority Opinion

Comment Tracking Worksheet N10

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Issue N10 from the Comment Tracking Worksheet was discussed by the Mahomet Aquifer Protection Task Force during the December 10, 2018 session. A motion was made, seconded, and approved by a majority vote that any future Task Force focused on protection of the Mahomet Aquifer should consider whether:

HTEM- should be used for specific applications for permit for example in landfills or when there are hazardous substances being permitted

The comment further noted that the Task Force responses (provided prior to the meeting) included the following:

TF responses – Barnett: The TF should not be prescriptive or make requirements that are under local authority

IEPA Bureau of Land Chief, Todd Rettig – Landfill siting is permitted on a local basis

The undersigned do not support further consideration of a statutory or regulatory requirement to conduct Helicopter-borne, Time-domain Electromagnetic (HTEM) characterization as part of the siting or permitting processes of hazardous waste treatment, storage, or disposal facilities, or of municipal solid-waste landfills for the following reasons:

1. The existing statutory siting process gives, and should continue to give, wide deference to local siting authorities (and their technical consultants) when judging the adequacy of site characterization methodologies and the interpretation of developed data.
2. The existing regulatory permitting process requires the applicant to conduct extensive geotechnical, geologic, and hydrogeologic investigations. The results of these investigations are carefully reviewed by Illinois EPA technical staff to ensure that the proposed facility is adequately characterized.
3. HTEM characterization is best used to provide relatively coarse judgements of subsurface sediment textures over regional scales; whereas site characterization for siting and permitting require characterization of the subsurface in much more detail and at scales much finer than those provided by HTEM.
4. There is no technical basis to justify the onerous burdens of greatly increased costs and the limited commercial availability of the HTEM methodology on the siting and permitting processes.

Signed: