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Of PCBs, a landfill and drinking water

Sun, 05/18/2014 - 7:00am | [Patrick Wade](#) ^[1]

History and explanation of the fight against PCBs in a landfill in Clinton that opponents say endangers your drinking water.

An EPA hearing on the Mahomet Aquifer generated a lot of talk this week — and while it's not directly related to a hazardous waste landfill near Clinton, it's part of the effort that began in 2007 with a small group of concerned residents in DeWitt County.

Nearly seven years later, hotel workers this week had to bring in extra chairs for the estimated 400 to 500 people who attended a hearing on the aquifer at the Hilton Garden Inn. Demonstrators rallied outside. Elected officials again sounded their concerns.

So what's all this commotion about, and how did we get to this point?

March 2, 2007 The Illinois Environmental Protection Agency issues a permit to Clinton Landfill to store potentially hazardous waste at a new landfill unit in DeWitt County. It's one of a number of hurdles the landfill needs to pass to begin accepting polychlorinated biphenyls. The landfill is directly above the Mahomet Aquifer, a massive underground reservoir that serves as the source of drinking water for roughly 750,000 people in 14 central Illinois counties.

Oct. 19, 2007 Clinton Landfill applies for a federal permit to store PCB waste. Local residents take notice and form a group called WATCH (We're Against Toxic Chemicals).

Feb. 5, 2008 At the urging of WATCH, a ballot question asking DeWitt County voters whether they support the landfill's plans goes to referendum. Seventy-five percent of voters say "no."

April 18, 2008 U.S. Sens. Dick Durbin and Barack Obama write a letter to then-EPA Administrator Stephen Johnson expressing "strong concerns" about the proposal.

Nov. 4, 2008 In a new referendum, 75 percent of DeWitt County voters say they want the county's agreement with Clinton Landfill rescinded — that agreement provides for a payment from the landfill to the county based on the tonnage of waste it accepts. By last year, that



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Photo by: Heather Coit/The News-Gazette

Terry Jobin, of Champaign, joins members of the local Prairie Group of the Sierra Club, Prairie Rivers Network and others to gather at the corner of Kirby Avenue and State Street to show support for a petition to make the Mahomet Aquifer a sole source aquifer under the U.S. EPA before a public hearing at the Hilton Garden Inn in Champaign on Tuesday, May 13, 2014.

payment had grown to \$1.3 million. DeWitt County Board members remain mum on the issue after agreeing with the landfill to maintain political neutrality during the permitting process.

Sept. 4, 2009 As the EPA goes about its review, then-U.S. Rep. Tim Johnson sends a letter asking the regional administrator to stop the permitting process. He believes residents would be put at "grave risk" and says he has reason to believe their concerns have "at best been ignored and at worst treated with arrogance and condescension" by the EPA.

March 1, 2011 The U.S. EPA issues its draft approval of the chemical landfill proposal, saying "the stringent design and performance standards contained in state and federal landfill regulations have been exceeded." That kicks off a public comment period, followed by further review. By now, the landfill has already begun building the chemical waste unit.

April 1, 2011 The Illinois EPA issues a permit for the landfill to begin accepting chemical waste types that do not require a federal permit. This includes excavated soils contaminated by manufactured gas plants.

June 10, 2011 Champaign Mayor Don Gerard writes the EPA opposing the proposal.

July 13, 2011 Twenty-two top officials from agencies around the region meet to at the Champaign City Building in an early effort to organize formal government opposition to the federal permit. The general message: Contact your legislators and make the public aware. It's an 11th hour entrance, and officials will later say they should have been notified by the EPA sooner.

Nov. 10, 2012 Those officials file a formal complaint with the Illinois Pollution Control Board, saying landfill officials did not follow the proper zoning rules when they built a chemical waste unit and began accepting potentially hazardous trash.

Dec. 10, 2012 Government officials petition to have the U.S. EPA name the Mahomet Aquifer a sole-source aquifer. The designation would not affect the landfill proposal, but it is part of the effort to prevent a similar situation in the future.

Sept. 19, 2013 The pollution control board dismisses the Nov. 10 complaint, saying essentially that the zoning issue was irrelevant because the Illinois EPA had already issued the permit.

Nov. 14, 2013 The DeWitt County Board votes 7-5 to side with the coalition of government agencies on the pollution control board complaint, in an apparent violation of its \$1.3 million agreement with the landfill to remain neutral.

Jan. 16, 2014 Illinois Attorney General Lisa Madigan appeals the pollution control board decision.

March 12, 2014 The U.S. EPA issues preliminary approval of the sole-source aquifer application. That kicks off a public comment period that lasts until June 12.

May 13, 2014 Dozens of people express their support for the sole-source aquifer designation in a standing-room-only hearing at the Hilton Garden Inn in Champaign.

May 15, 2014 Gov. Pat Quinn writes U.S. EPA Administrator Gina McCarthy, asking her to deny the landfill's PCB permit application. The sole-source aquifer proceedings "highlighted the significant risk of disposing of PCBs, a carcinogen, in the proposed landfill cell," the governor

said.

So what's next?

There's still plenty of unfinished business in this whole process. The federal permit that would allow the landfill to store PCBs is still pending, even after that preliminary approval three years ago. Legislators' efforts seem to have put a decision on hold, but theoretically, a final decision could come at any time.

"I think we're still in emergency response mode until the federal government says they're not going to issue the permit to allow PCBs," said Steve Carter, the former Champaign city manager who is now one of the leaders behind the aquifer effort. "I think that's still hanging over our head."

The landfill is already accepting special kinds of chemical waste permitted by the state. After the attorney general's appeal, a review of whether the landfill is doing that in compliance with zoning laws next goes to an appellate court.

DeWitt County Board member and past-WATCH president George Wissmiller said the local effort still has some concerns.

"We could be working on the Clinton Landfill situation," he said. "They are today hauling in (manufactured gas plant waste) to the Clinton Landfill. MGPs are almost as nasty, in some ways they're nastier, than PCBs."

A final decision from the EPA on the sole-source application seems most imminent. The public comment period closes in less than month, and a decision could come at any point after that.

So after the sole-source decision and some kind of resolution for the PCB and MGP materials, Carter said only then might officials be able to start looking at longer-term protections.

"The protection under Illinois law for water supply in cases such as this is just not that good," Carter said.

Does anyone know what the U.S. EPA will do with the PCB permit?

"The feds have pulled back, and if you go to their website, they haven't added anything on there since 2011," Carter said. "So they're definitely in a holding pattern there."

Especially with the 3-year-old draft approval, there's no promise either way. But officials believe the momentum is on their side.

The governor's letter was a big step, Carter said.

"They would really look bad if they approve the placement of PCBs in the landfill at this point," Carter said.

What does the landfill say?

Chris Coulter, vice president at Peoria Disposal Company, which owns Clinton Landfill, did not return phone messages this week seeking comment. In the past, landfill officials have said the chemical waste unit they have built to hold the potentially hazardous waste in many areas exceeds modern regulations. The EPA agreed in its draft approval.

The chemical waste unit is a system of highly engineered plastic liners; clay, leachate pump systems; and groundwater monitoring wells. Landfill officials have said it will be impenetrable by any substance for centuries and even 1,000 or more years.

Further, they contend that PCBs are safer in the landfill than where they are now — mostly polluting the Great Lakes. As much as 38.6 million cubic yards contaminate the Great Lakes region, Coulter has said, and there's not enough capacity in the United States to bury them all. Eventually, they are taken up into the food chain by small organisms or fish, and then can be ingested by humans.

What are PCBs?

Polychlorinated biphenyl materials were banned by the EPA in 1979, but the products had been in production for about 50 years before that and are still being thrown away. They were used in industrial and commercial applications, including electrical, heat transfer and hydraulic equipment; as plasticizers in paints, plastics and rubber products; in pigments, dyes, and carbonless copy paper; and many other industrial applications.

According to the EPA, "PCBs have been demonstrated to cause cancer, as well as a variety of other adverse health effects on the immune system, reproductive system, nervous system and endocrine system."

What have we learned?

Wissmiller was not on the DeWitt County Board when he got involved, but he is now — a political campaign spurred by the landfill controversy.

When he started attending meetings with WATCH, he was just a concerned citizen, and he felt he wasn't being taken seriously in an early EPA hearing.

"I asked about running tests on the water myself and whether or not it would be prohibitively expensive, and they laughed at me," Wissmiller said. "This is the U.S. EPA. I was flummoxed by this meeting."

But Wissmiller says the effort by local leaders and residents since then has proven effective.

"I am pleased because the system, in spite of being corrupt and slow and tedious and repetitious and all the other things you hear about government, if you make enough noise and stick with it and you stay rational, it does in fact work," he said.

And Carter said education is important. A big part of the campaign has been making the public aware of what the aquifer is and why it's vulnerable. The sole-source application required extensive research and documentation of the aquifer.

"We don't have a river running through our community, so it's pretty easy to forget the aquifer exists," Carter said. "So when we make decisions, we may not always take that into consideration."

That benefits government, too.

"It's kind of mind-boggling that you have people in state decision-making roles that don't have a clue about the aquifer and its sensitive points," Carter said.

What is the Mahomet Aquifer?

The aquifer is like a river that flows dozens to hundreds of feet underground through sand and clay — but it covers a massive area spanning 14 central Illinois counties. Water companies tap into the aquifer to pump out the drinking water that eventually reaches the faucets of roughly 750,000 residents at a rate of more than 100 million gallons per day, according to the governor's office.

Scientists are learning more about the aquifer, but there are still a lot of unknowns. In particular, hydrologists still want to be sure about how the aquifer recharges, and how much we can safely use without pumping it dry.

What's a sole-source aquifer?

To be named a sole-source aquifer, it would need to be determined that it is the primary source of drinking water for most people in the region and that there's no viable alternative. In its draft approval, EPA officials have decided that this is the case for the Mahomet Aquifer.

A "sole-source" designation would add a layer of federal review to any federally-funded projects that could affect the aquifer. A project could lose federal funding if it is found to be potentially harmful.

EPA spokesman Bill Spaulding said that, in 10 years, no project in the EPA's Midwest region has been denied federal funding for threatening a sole-source aquifer, "although many design changes have been made to improve those projects." Even if that federal money were rejected for threatening a protected aquifer, a project could still move forward with its own funds.

Would a sole-source designation for the Mahomet Aquifer affect Clinton Landfill's plans?

No. The landfill project is privately funded, and therefore would not be subject to the sole-source aquifer review. But the special designation has gotten wrapped up in the effort as an alternate route for protecting the water source.

#1 ^[3]

pattsi ^[4] wrote on May 18, 2014 at 10:05 am

Make an immediate economic impact--just stop using AREA disposal, owned by the same company as the land fill is. Futher put pressure on large entities in this community that use AREA, aka Carle, UIUC, and any others that you know that use AREA.

#2 ^[5]

Sid Saltfork ^[6] wrote on May 18, 2014 at 1:05 pm

Thank you for the information. Sad to think that the two local, large employers are not concerned with the public's drinking water.

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