

**WEST CHICAGO INTERGOVERNMENTAL FORUM**  
**October 19, 2007**  
**Minutes**

**ATTENDEES**

Barbara Magel, Counsel for Local Communities  
Jamie Geils, CBBEWL, Local Communities  
Gary McCandless, IEMA/DNS  
Tom Williams, IEPA  
Chuck Grigalauski, IEPA  
Gerald Karr, Illinois Attorney General's Office  
Mary Fleming, DuPage County State's Attorney's Office  
Jim Kleinwachter, Conservation Foundation  
Don Feld, TAG  
Mark Krippel, Tronox  
Paula Neltner, West Chicago resident  
Delores Baker (portion of meeting), daughter of West Chicago residents  
Tim Fischer, U.S. EPA, Superfund  
Rebecca Frey, U.S. EPA, Superfund  
Mary Fulghum, U.S. EPA, Office of Regional Counsel  
Yolanda Bouchee, U.S. EPA, Office of Public Affairs

**INTRODUCTIONS / COMMENTS**

Everyone in the room introduced themselves because there were some new attendees present.

Becky informed the forum attendees that around the beginning of September, Tim Fischer took over project management responsibilities for three of the four Kerr-McGee Superfund sites. Becky will still handle the Residential Areas site, but Tim will handle the Kress Creek/West Branch DuPage River site, the Reed-Keppler Park site, and the Sewage Treatment Plant site. Tim previously worked on the Reed-Keppler Park site (around 2002). Becky will be the back-up project manager for the three sites Tim is now handling.

**RESIDENTIAL AREAS SITE**

Becky referred forum members to previous forum minutes for a description of the "old cleanup residual" issue. At the July 2007 forum meeting EPA had reported that it would be sending out letters to the owners of the 117 properties involved in the 1980s cleanup where this is a *potential* issue; the letters would explain the issue to the potentially-affected owners as well as the process to resolve the issue. EPA also reported at the last meeting that it would be sending letters to the owners of all the other properties that were part of the more recent Superfund cleanup but not part of the 1980s cleanup; those letters

would explain to the owners that their property is not one of the 117 properties where this is potentially an issue.

Becky reported that both sets of letters discussed above were sent out since the last forum meeting. The letter to the 117 potentially-affected properties that were part of the 1980s cleanup were mailed on July 26, 2007 (although the letter itself was mistakenly not dated). The letter to the other 582 properties that were cleaned up under Superfund but were not part of the 1980s cleanup were mailed out on September 12, 2007. Becky said that only a handful of people who received the letters called her to ask questions.

At the last forum meeting EPA reported that it was working with the City and Tronox to develop a consistent, objective approach regarding how the 117 potentially-affected properties would be evaluated and categorized based on the file information from the 1980s cleanup and the more recent Superfund investigation and cleanup. Becky reported that since the last forum meeting, the parties reached general agreement on the evaluation approach. The parties also agreed that it made sense to focus first on evaluating those properties that are privately-owned residential properties (i.e., homes with people living there vs. vacant lots, Tronox-owned properties, City-owned properties, parking lots, etc.).

Becky also reported that EPA has conducted its initial evaluation of all the information in EPA's files from the 1980s cleanup and from the more recent Superfund cleanup for the privately-owned residential properties. The evaluation included the following two steps:

- Evaluate the 1980s file for each property to identify if the property had "suspect areas" based on the information available from the old cleanup; and
- For properties that had "suspect areas," evaluate the information from EPA's Superfund investigation and cleanup to determine whether the "suspect areas" from the 1980s were excavated during the 1990s Superfund cleanup.

Based on this process, properties with "suspect areas" were then put into one of 3 categories:

- Suspect areas not addressed during Superfund cleanup
- Uncertain whether suspect areas were addressed during Superfund cleanup
- Suspect areas were excavated during Superfund cleanup

Properties in the 1<sup>st</sup> two categories above will need further evaluation.

Becky said that she was not quite ready at the forum meeting to report the specific numbers for each category, but there are roughly 40-some residential properties that will need further evaluation. [NOTE: The number turned out to be 41.] Additionally, EPA will be requesting more detailed information from Tronox regarding their files from the Superfund cleanup (their daily field logbooks, for example) that may clarify some of the questions about some of the properties in the "uncertain" category. Those properties that end up remaining in the 1<sup>st</sup> two categories will need further testing to resolve the issue of

whether or not there is any buried residual contamination left behind from the 1980s cleanup.

Becky explained that EPA will be sending a letter on Monday October 22<sup>nd</sup> to all the privately-owned residential properties that were evaluated. The letters will notify the property owners of the status of their property based on the initial evaluation described above. For those properties that are in the first 2 categories (i.e., need further evaluation), the letter will also invite the owners to a meeting at City Hall on October 30<sup>th</sup> to learn more about the evaluation process for their properties and the next steps.

Paula Neltner questioned the adequacy of the Superfund cleanup and said that EPA “dropped the ball” and needs to do it over. Becky said that for properties that were addressed only under the Superfund cleanup and not during the 1980s cleanup, EPA is very confident that all identified contamination was removed. Paula asked when property owners would get letters from EPA saying their properties are clean. Becky explained that EPA put such letters on hold when the issue about potential buried residual contamination was raised, because EPA doesn’t want to send out a letter and then have to come back later and say the property needs to be looked at again. EPA wants to be sure all remaining issues are resolved first. Everyone will eventually get such a letter once all outstanding issues are resolved. Paula also questioned how her property and others got so contaminated. Barbara Magel pointed out that the important question is not the exact mechanism of how the contamination got there, but rather what was done to address it. Paula claimed that she had spoken with the workers who were doing the Superfund cleanup and said the workers knew the contamination was deeper but they only cleaned up as much as they were allowed to. Becky said that was entirely not true; under the Superfund cleanup, properties were excavated as much as was necessary to meet the EPA cleanup standard, and EPA and the State collected data to verify that the cleanup at each property met the standard. There was no arbitrary depth beyond which contamination was left behind – the cleanup went as deep as it needed to go to remove all of the contamination.

Paula asked when the Residential Areas site would be completed and all the properties involved would no longer be part of a Superfund site. She also questioned why it took so long to address this issue about potential buried residual contamination on the 117 properties that were part of the 1980s cleanup. Barbara Magel explained that the Residential Areas site will not be closed out and considered complete until every issue at the site is resolved, and the question regarding the 117 properties is one of those issues. She also explained that all parties agreed it made the most sense to place first priority on cleaning up the known contamination. Becky reiterated that IF there is any contamination at any of the 117 properties, it is buried beneath clean soil and there is no current exposure at the surface.

Paula also asked why all the owners of properties that were not part of the 1980s cleanup can’t get their final letters now. Becky explained that there is also a separate issue that needs to be looked at regarding people’s basements. Because of the contamination that

was discovered in a basement in Paula's neighborhood, EPA is reviewing all of the properties it tested to see which ones had indoor testing (basement/crawlspace) and which ones did not. EPA won't be sending out "final" letters to owners until it is confident that all issues associated with the Residential Areas site are resolved.

### **REED-KEPPLER PARK SITE**

Tim said that at the last forum meeting, EPA had reported that it was conducting a five-year review for the RKP site. The 2002 Record of Decision (ROD) said that the groundwater at the site needed to be monitored until three consecutive sampling events showed that all results were below the drinking water standard (known as the maximum contaminant level, or MCL) of 30 micrograms per liter for uranium. Tim reported that the five-year review was completed on August 13, 2007, and a copy is available in the information repository located in the West Chicago Public Library. All Superfund five-year review reports also are available through EPA's epa.gov website. The five-year review concluded that the remedy at the site is protective. All three sampling events that have been conducted since the ROD have had all sample results below the MCL. There were some issues related to the first sampling event (two monitoring wells could not be sampled because one could not be located and one was damaged, and Tronox did not provide two-weeks notice to EPA and the State as required by the consent decree). As a result, EPA is requiring that one more round of samples be collected, and Tronox is planning to conduct that sampling in December.

### **SEWAGE TREATMENT PLANT SITE, river portion**

Tim reported that Reach 5A of the river (from the STP to Gary's Mill Road) continues in the maintenance and monitoring period. Tronox submitted a draft of the final completion report for Reach 5A in May. EPA is reviewing the draft report and plans to provide comments to Tronox within the next few weeks. The Local Communities already have provided Tronox with some comments on general format, and they plan to submit some content-specific comments soon.

Some additional trees and shrubs are being planted in October in Reach 5B (from Gary's Mill Road to the confluence with Kress Creek). After restoration activities are completed in Reach 5B, there will be a post-construction inspection of the reach, and then that reach will be in the maintenance and monitoring period.

### **KRESS CREEK/WEST BRANCH DUPAGE RIVER SITE**

#### **Cleanup Progress**

Tim reported that for Reaches 1, 2 and 3A of the creek (from the storm sewer outfall through Manville Oaks Park), plantings of trees, shrubs and aquatic plants were completed in June. A post-construction inspection was done on September 20<sup>th</sup> and resulted in a set of minor "punchlist" items that needed to be addressed. The punchlist items have since been addressed, and Tronox submitted a post-construction inspection

report in early October. Tim said that EPA will be sending Tronox an approval letter on that report, and Reaches 1, 2 and 3A will then be in the maintenance and monitoring period.

Final plantings for Reaches 3B and 4 of the creek (from Wilson/Joliet intersection to the confluence) are also underway in October. Planting work in Reach 3B was recently completed, and Reach 4 is about 70% complete. Mark Krippel thought that the planting work in Reach 4 would be completed during November; there are some trees they are having a hard time getting from the nursery. Tim also reported that the Reach 3B & 4 staging area has been top-soiled and seeded and is looking good.

For Reaches 5C and 5D of the river (from the confluence to River Oaks subdivision), excavation work for all targeted material was completed in early September. All of the Reach 5C targeted material, and most of the Reach 5D targeted material, has been transported to the REF for rail shipment. Final grading and placing of topsoil, as well as seeding and some planting work, is being conducted.

For Reaches 5E (River Oaks subdivision to Williams Road) and 6 (Williams Road to Butterfield Road) of the river, EPA, the Local Communities and Tronox held a public information meeting on September 11<sup>th</sup> in Warrenville City Hall to discuss the work plan for those reaches. Tronox started clearing and installing staging areas and access roads for Reaches 5E and 6 in August, and actual cleanup work started in September on Forest Preserve property along the west side of the river. All the cleanup work in Reach 5E is being conducted exclusively with the 3-sided sheetpile method.

Tim said that the cleanup work was progressing very well up until the last few very rainy days. Tronox's goal is to complete the north and central portions of Reach 5E by Thanksgiving. The southern part of Reach 5E, as well as Reach 6, would be done next year after the winter shutdown.

### **Design Activities**

Tim said that Tronox submitted a redline version of the work plan for Reaches 5E and 6 in August. The sign-in sheet from the September 11<sup>th</sup> public information meeting indicated that approximately 60 people attended the meeting. The Local Communities and EPA provided Tronox with comments on the redline version of the work plan, and then approved the revised version of the work plan after all comments were responded to. As soon as the final version of the document is received, EPA will put a copy in both information repositories (West Chicago and Warrenville Public Libraries).

Also, Tronox is working with IDOT to revise the design for the areas along the Route 59 embankment that still need to be addressed in Reaches 3B and 4. (Route 59 is the dividing line between those reaches.) Mark Krippel said they are looking at moving the sheetpile about 1 foot to avoid the fiber optic cable located in that area that controls all the traffic signaling in the area. The fiber optic cable is housed within a steel conduit 18" below ground and can be avoided by moving the planned location for the sheetpile. Mark

said those plans are being redrawn now for resubmission to IDOT, and hopefully IDOT will approve the new plan. In addition, Tronox will prepare an Interim Change Notice (ICN) to the existing work plans for Reaches 3B and 4, to “carve out” the Route 59 embankment areas into their own separate work plan. That way, the bulk of Reaches 3B and 4 can move forward into the maintenance and monitoring period without this IDOT issue delaying progress for those reaches.

### **Access Issues**

Tim reported that Tronox’s contractor, Arcadis-BBL, now has access agreements from all the property owners in the northern and central portions of Reach 5E, so cleanup work will be able to continue this season uninterrupted until the winter shutdown. They also have finalized the property restoration agreements for some of those properties.

### **Restoration Issues**

Jim Kleinwachter said that the DuPage River Coalition and the Conservation Foundation have some concerns about the process being used to communicate with property owners along the river about restoration of their property. Jim said they are getting phone calls from some owners, concerned that the initial restoration plan presented to them for their property showed turf grass as the “standard” option and that they had to ask for a more “natural” restoration option. Jim asked for an understanding of the process and why more “natural” options aren’t the first thing presented to people. Secondly, most people are uneducated about specific trees and want to know which of the trees on the extensive list of available trees are the “preferred” options. Jim would like to see the better, native species be presented on a short-list of recommended options for people.

There was a long discussion on this matter. Tim noted that Arcadis-BBL has a specialist who works with property owners on restoration options, and said he was surprised to hear that there are any “bad” choices on the list. Jim emphasized that people are very happy with the work, they just want more information and assistance with making restoration choices, and most people seem to want to go “natural.” He offered to work with whoever he needs to (Tronox, Arcadis-BBL, John Wills from the Local Communities) to assist in this process. Becky said that the Forest Preserve District had put together a booklet with photos of different plants and trees and asked whether this information was being provided to owners. Barbara said that the “booklet” is actually two large notebooks, and is not something easily reproduced to be handed out. Also, it does not recommend certain species, but just shows what different plant/tree options look like. Mark Krippel said that he hasn’t heard that the existing process is not working, and has not been getting this impression about how the interactions with property owners are going. Jim and Becky said that the solution may be as simple as providing to owners a list of who they can contact for additional expertise if they want advice about the different options available to them. Barbara said she would discuss this matter with John Wills, and he will be willing to get involved as needed.

## **OTHER ITEMS**

### **NOAA Grant Projects**

Jamie Geils gave an update on one of the projects being funded by the \$10 million NOAA grant that the County received. These projects are separate from the Superfund cleanup, but are being done as follow-on projects to help restore and improve the West Branch of the DuPage River.

Jamie reported that the Deep Overwintering Pool project has been completed. There is still some orange construction fence that will remain up for the rest of the season because the trails will remain closed for the season. A NOAA representative was on-site this past week to visit some of the reaches, including Reaches 5B, 5C and 5D along the river where some of these projects will take place.

Jim Kleinwachter asked about the other projects that are being contemplated under the NOAA grant. Jamie said that the fish hatchery project is still being discussed. She did not know the status of the side-channel project. The vernal pool project has been constructed and completed.

## **NEXT FORUM MEETING**

The next meeting of the West Chicago Intergovernmental Forum is scheduled for **Friday, December 14, 2007, at 10 a.m.** in West Chicago City Council Chambers, West Chicago.

# **West Chicago Intergovernmental Forum Agenda**

West Chicago City Council Chambers  
October 19, 2007  
10:00 am

## **INTRODUCTIONS / ANNOUNCEMENTS**

### **SITE STATUS UPDATES**

- **Residential Areas Site**
- **RKP Site**
- **STP Site (River Portion)**
- **Kress Creek Site**

### **OTHER AGENDA ITEMS / ISSUES**

- **Update on NOAA Grant Projects**

### **SET NEXT MEETING DATE**

### **ADJOURN**