



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

August 10, 2012

The Honorable Sue Rezin
Illinois General Assembly - Senate
103 Fifth Street
P.O. Box 260
Peru, Illinois 61354

The Honorable Frank Mautino
Illinois General Assembly – House of
Representatives
221 E. St. Paul Street
Spring Valley, Illinois 61362

Refer to: 0110300003 – Bureau County
New Jersey Zinc/Mobil Chemical
Superfund/Technical Reports

Dear Senator Rezin and Representative Mautino:

In June 2011, Illinois EPA committed to providing a quarterly update to elected officials regarding progress on the New Jersey Zinc Superfund site in DePue, Illinois. Illinois EPA's last update was provided to you in late March 2012. This letter is Update 4.

The DePue Group, consisting of the two responsible parties for the site, CBS Corporation and ExxonMobil Corporation, is conducting investigation and response actions at the site pursuant to an Interim Consent Order and under Illinois Environmental Protection Agency oversight. The site has been a National Priorities List Superfund site since 1999.

Current Status:

Operable Unit 1 – South Ditch: The South Ditch underwent an interim remedy in 2005. Any future work at the South Ditch will be conducted as part of Operable Unit 5, Lake DePue. Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the South Ditch must undergo review every five years. The first review was conducted in 2010, and concluded that the interim remedy remains protective of human health and the environment in the short term because access is restricted and significantly contaminated sediments have been removed. The next five year review is scheduled for 2015.

Operable Unit 2 – Phosphogypsum Stack: The DePue Group anticipated installing additional groundwater monitoring wells south of Lake DePue in the Illinois Department of Natural Resources' Dredged Soil Disposal Area. Drilling commenced in early April; however, the water-bearing stratigraphic unit that was the target of the investigation was not discovered in any of the four borings drilled. As a result, no additional groundwater wells were installed. Nevertheless, the DePue Group has enough information to provide a comprehensive

hydrogeological study, which was submitted to Illinois EPA in early July 2012. Illinois EPA anticipates completing its review by mid-September.

Operable Unit 3 – Former Plant Site Area: The DePue Group has submitted its Phase 2 Remedial Investigation Report for OU 3. Illinois EPA submitted review comments on May 21, 2012, including review comments from the Village of DePue. Illinois EPA anticipates receiving responses from the DePue Group by early August 2012. Illinois EPA did not discover any major data gaps, though some significant issues regarding interpretation of the data are highlighted in the Agency's review.

The DePue Group also submitted a workplan for human health and ecological risk assessments for OU3. Illinois EPA submitted comments, including review comments from the Village, and anticipates a response from the DePue Group in early September. The DePue Group has expressed a desire to implement a presumptive remedy for OU3, consistent with the terms of the Interim Consent Order and consistent with USEPA guidance. Therefore, these workplans may be modified somewhat to accommodate the requirements in the Order and U.S. EPA guidance regarding presumptive remedies.

Operable Unit 4 – Off-Site Soils: On June 21, 2012, Illinois EPA submitted review comments to the DePue Group, including comments from the Village, on the Design Study to address contamination within the Village. The Design Study described sampling, remediation objectives, and property restoration for Village properties, including residential lots, parks, and other public spaces. Initial sampling efforts for other DePue Group-owned property was also described in the Design Study. Illinois EPA's review revealed some issues of concern, principally the proposal concerning an appropriate remediation level for arsenic in soil.

The DePue Group proposes to excavate contaminated soil from residential lots and other areas of the Village and deposit the soil in the corrective action management unit, on the existing slag pile, or to temporarily store the soil elsewhere on the plant site, pending the final remedy for the slag pile. With certain modifications, the Agency can concur with this approach as it is consistent with a presumptive remedy and the Interim Consent Order for the site. The Village has indicated it takes exception to the deposition of Village soils on the plant site.

The use of a presumptive remedy allows for a streamlined feasibility study process, but will include community involvement and remedy selection requirements described in the National Oil and Hazardous Substances Pollution Contingency Plan, in the same manner as a conventional response action. A new remedial action consent order must be negotiated in order for the DePue Group to implement the remedy. This remedial action order is separate from the current Interim Consent Order which addresses investigations, feasibility studies, and design studies. The negotiations for the new remedial action consent order will occur simultaneously with the remedy selection process to the extent possible.

Operable Unit 5 – Lake DePue: Illinois EPA and the DePue Group are working to resolve final issues associated with the human health and ecological risk assessments, including those

issues brought forward by the Village's review. The assessments should be finalized within the next few months.

Interim Consent Order: The DePue Group has complied with the schedule thus far. Illinois EPA extended its review of the OU4 Design Study by an additional 18 days, in accordance with the Interim Consent Order.

Community Outreach: The Community Advisory Group (CAG) initiated evening meetings in June. Illinois EPA has attended the June and July meetings in order to provide a monthly update on site progress. Both evening CAG meetings were well attended by the community. The next CAG meeting is scheduled for August 15th. Illinois EPA has continued outreach to Hispanic families in DePue by speaking to the congregation at St. Mary's church after the service on July 22, 2012. This meeting was attended by 25 people, half of whom had not attended either of the previous two meetings at the church. The next meeting is tentatively scheduled for sometime in October.

Illinois EPA anticipates providing the next update in November. Please feel free to contact Illinois EPA at any time with any questions or concerns you may have. You may reach me at 217-785-2891 or at Charlene.Falco@illinois.gov.

Sincerely,



Charlene Falco
Project Manager
Federal Site Remediation Section

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