ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

PUBLIC MEETING FOR THE RECORD

OF DECISION FOR OPERABLE UNIT 4

OF THE NEW JERSEY ZINC/MOBIL

CHEMICAL SUPERFUND SITE IN

DEPU, ILLINOIS

REPORT OF PROCEEDINGS of the public meeting
held on the 29th day of June, 2016, at the DePue School
Gymnasium, 204 Pleasant Street, DePue, Illinois, at
6:00 p.m.

PRESIDED BY:

MR. DEAN STUDER, Hearing Officer
Right-to-Know Coordinator

PRESENTED BY:

MS. CHARLENE FALCO,
Illinois EPA Project Manager

INTERPRETED BY:

Ms. Jimena Lopez-Rehmer

LAUNIUS REPORTING SERVICE
(815) 433-1103
MR. STUDER: Good evening. I want to apologize for the late start. We had a little --

THE INTERPRETER: My fault.

MR. STUDER: Can everyone hear me?

Okay. Is that better?

Before we begin this evening, we have a Spanish interpreter here for those in attendance who are Spanish speaking, and just for the record I'd like to have a show of hands if there is anyone here this evening that would like this meeting interpreted into Spanish for them.

Okay. Can you hear without a microphone?

THE INTERPRETER: Yes, she can hear me.

MR. STUDER: Okay. If you cannot and you need to interrupt, let us know and we'll provide a microphone. We've got one here.

Okay. We'll proceed with interpreting this meeting into Spanish this evening.

My name is Dean Studer. I'm the hearing officer for the Illinois Environmental Protection Agency or Illinois EPA, and I'll be serving as the facilitator for this public meeting.
This meeting is being held for the purpose of gathering public comments on the proposed plan for the cleanup of Operable Unit 4 offsite soils of the New Jersey Zinc/Mobil Chemical Superfund site here in DuPage -- in DePue, Illinois, excuse me. This meeting is the only time the Illinois EPA will be accepting oral comments on the proposed plan. Written comments will also be accepted at tonight's meeting, but following this meeting comments will need to be received in written form either by U.S. or carrier mail or by e-mail in order for us to consider them.

The proposed plan identifies a proposed cleanup option. Illinois EPA also welcomes comments regarding other cleanup options. In a few minutes, the project manager for this site, Charlene Falco, will be presenting more information on the site and the proposed plan.

The comment period for written and e-mail comments began on June 14, 2016, and will end on July 14, 2016. All comments submitted in this matter in writing must be postmarked no later than Thursday, July 14, 2016, to be considered by Illinois EPA when we make a final determination in this matter. The address
to mail written comments is provided in the public
notice for this meeting, in the fact sheet, and in	onight's handout. That address is: Illinois EPA,
Office of Community Relations, Re: New Jersey
Zinc/Mobil Chemical Superfund Site Proposed Plan,
1021 North Grand Avenue East, P.O. Box 19276,
Springfield, Illinois, 62794-9276. There are also
comment forms available at the registration table. You
can simply write your comment out and submit it to us
here tonight at this meeting or you can take the form
with you and mail the completed form to us.

Also, I believe that there are comment
form mailers in circulation that contain the wrong
meeting and comment dates. I will accept those forms,
but the correct comment period is June 14th, 2016,
through July 14th, 2016. And, again, those comments
need to be postmarked no later than July 14th, 2016, to
be considered.

Illinois EPA will also be accepting
e-mail comments in this matter. E-mail comments are to
be sent to EPA.publichearingcom@Illinois.gov. That's
E-P-A dot p-u-b-l-i-c-h-e-a-r-i-n-g-c-o-m at
I-l-l-i-n-o-i-s dot g-o-v. Please include New Jersey
Zinc/Mobil Chemical Site Operable Unit 4 in the subject line to ensure the comments become part of this record. E-mails are electronically sorted, so it's important that the subject line be complete. E-mails will be accepted through July 14th, 2016, and must be received before midnight, before the date changes to July 15th. I encourage you to file your comments early as the server can become quite busy in the minutes before the close of the comment period, and again, we need to have your e-mail before the date changes to July 15th, 2016.

Comments that are submitted anonymously will not be considered by the Illinois EPA. Written comments, whether by e-mail or submitted in writing through the mail system need to contain the name and address of the person or group of people providing the comments. I point out that personal e-mail addresses, mailing addresses and phone numbers are not releasable to the public and are protected from disclosure under the Freedom of Information Act requests. However, names may be released. Businesses, organizations and commercial interests do not share the same level of protection and generally are releasable.

After the close of the comment period,
Illinois EPA will review and evaluate the comments received. Comments received by e-mail or in written form are given the same weight and consideration as comments made orally at this meeting.

The proposed plan for Operable Unit 4 may be amended based on the comments the Illinois EPA receives. Responses to issues raised at this meeting and provided to us during the comment period will be included in a responsiveness summary. The responsiveness summary document will be made available to those who have legibly completed a registration card this evening or provided comments to the Illinois EPA during the comment period in writing.

A transcript of this meeting is required by the National Oil and Hazardous Substances Pollution Contingency Plan. For that reason, we have a court reporter here this evening taking a verbatim record of this meeting so that we will have a transcript of this meeting. For her benefit, please keep the general background noise in this room to a minimum so that everything that's said can be properly transcribed. Also, it is important that only one person at a time speak and that those making
comments or asking questions come forward to the microphone when doing so. When you come forward, I will ask that you state your name and, if applicable, any governmental body, organization or association that you represent. Please spell your last name. If there are alternate spellings or unusual spellings of your first name, you may also spell your first name. I know this seems a little formal, but it's important that we follow these procedures so that the court reporter can accurately transcribe this proceeding.

Finally, we have indicated that this meeting ends at 8 p.m. This is a general guide, and we will stay longer if there are people that still wish to provide comment. It is important that we make efficient use of the time that we have and avoid repetition. If we begin to repeat, I may interrupt and ask you to proceed to your next relevant issue. I also reserve the right to limit comments and questions in time or numbers so that as many here tonight as possible will have time to speak. In the event that we cannot accommodate everyone, you do have the right to file comments with us in writing during the comment
period which runs through July 14th, 2016.

    I will now turn things over to Charlene Falco, the Illinois EPA remedial project manager for the site and regarding the proposed plan.

    Go ahead, Charlene.

    MS. FALCO: Okay. Hi, I appreciate you coming out tonight. I'd like to introduce you to some of the folks from Illinois EPA that are here tonight with me. Jay Timm, back corner, community relations; Connie Sullinger, risk assessor; Clarence Smith, manager of the federal site section, my supervisor; Heather Nifong, acting chief of the Bureau of Land; and Kevin Phillips of Ecology & Environment, technical support to the Illinois EPA.

    All right. Tonight's purpose of tonight's meeting is to tell folks about the proposed plan for the cleanup of Operable Unit 4 and the goals. (Whereupon, the reporter asked Ms. Falco to speak into the microphone.)

    MS. FALCO: I'll summarize what we know about the contamination, describe actions for cleanup and the next steps in the process. We may take some questions
for clarification, but we are mostly here to hear your comments.

This is a map of the New Jersey Zinc Superfund site. It's an old zinc smelter and fertilizer production plant. Superfund is a name for a federal program that addresses the cleanup of old waste sites. Much work has been done out here already by the potentially responsible parties, who are Exxon Mobil Oil Corporation and CBS, and most of the investigations are completed.

The site is organized into operable units: OU1, the south ditch, focus of the cleanup in 2005; OU2, the Phosphogypsum Stack, undergoing closure, planning is underway now; OU3, the former plant site, the former facility; and Operable Unit 5, Lake DePue. Those investigations are mostly complete, and risk assessment is underway.

Illinois EPA works through a consent order, a legal agreement with responsible parties to address the problems at the site. There is a specific process that we follow for Superfund sites. We are in the public comment period for a remedial action for OU4.
This is a closer look at the village.
The areas marked in blue are the residential areas and
the focus of the upcoming activities. There are other
areas, agricultural and natural areas will be addressed
at a later time.

Village soils may have become
contaminated through aerial emissions from plant
operations and from material taken from the plant and
used throughout the village on private property as fill
material. There have been previous studies of the
residential area back in 1992, but these studies were
limited and looked at a small number of properties.

In 2013, we looked at 41 properties
throughout the village to determine the kind of metals
present in village soils and their concentrations.
Over 1200 samples were taken from these properties.
They were analyzed for metals, antimony, arsenic,
barium, cadmium, chromium, cobalt, copper, iron, lead,
manganese, mercury, thallium and zinc.

All right. Samples were taken to 24
inches in six-inch increments, and the results were
compared to screening levels. These are concentrations
that we feel are protective. Below those
concentrations we would not take action. Some of these were -- some levels were taken from federal guidance, some from Illinois regulation, and one was based on naturally occurring background. What we found was lead was commonly detected above its screening level at about 70 percent of the properties sampled; arsenic above its screening level at about 40 percent of the properties; cadmium at about 16 properties, mostly in gardens; and manganese at about 11 properties. Since there are a large number of samples that exceed the protective criteria, we want to take action to prevent further exposure. We also found that fill material was present in isolated areas, in some yards.

So what are we going to do? Well, the purpose of the cleanup is to prevent exposure by ingestion, inhalation, and dermal contact, contact with your skin, of soil contaminated with metals above cleanup goals. We want to protect the child, and adult and construction worker. We'll be addressing residential properties throughout the village, some commercial properties, vacant lots and property owned by the village, like parks, alleys, the school, possibly some others.
All residential property owners will be provided the opportunity to have their property sampled. We are looking at about 814 residential lots including the vacant lots, five special use areas, the athletic fields, school, three village parks, a total of about 22 acres more or less, and about 16 acres of alleys.

All right. Soil samples will be collected from properties and analyzed. Sampling will occur within portions of yards, like a front yard, a back yard, to 18 inches. If the cleanup goals are exceeded, that portion of the yard represented by that sample will be removed. Excavated areas will be backfilled with clean soil, and properties will be restored with grass and landscaping. We estimate about 55,000 cubic yards to be removed, 27,000 from residences and 28,000 from special use areas and alleys.

We looked at three options to address the soil contamination. The details are spelled out in this document called the Scoping Document. It's available at the library. And the first option, alternative one, no action. We're required by law to
look at and we have evaluated all these options against
nine criteria. Alternative two is excavation and
management of soils on the former plant site, and
alternative three is excavation and off-site disposal
in the landfill or some other place.

Criteria one and two are very important.
If an alternative does not meet one of these
requirements, it cannot be considered. They are
overall protection of human health in the environment
and compliance with state and federal regulations.

Criteria three through seven are used to
compare the alternatives to each other. Long-term
effectiveness addresses how protective and how certain
we are that the action will be successful. Reduction
of toxicity, mobility and volume through treatment,
it's the treatment part that's important here and the
degree to which each alternative uses treatment to
address contamination. Short-term effectiveness deals
with risks to the community during the action, impacts
on workers and the time needed. Implementability
addresses how easily the work can be done. And cost.

Criteria eight and nine, we address
these after the public comment period is over. The
support agency in this case is the United States Environmental Protection Agency. We deal with the Region 5 office in Chicago.

Alternative one, we won't talk about it. It doesn't meet criteria number one. It won't be selected.

Alternative two, excavation and management of soils on the former plant site. Soil samples will be taken from yards and parks and alleys and the school like I described. Any soils above cleanup goals will be excavated from these areas, and the excavated soil and the fill material will be stockpiled in the plant area -- in that plant area for future management. The fill material and the more highly contaminated soil will be stockpiled at the base of the slag pile, and the less contaminated soil will be stockpiled separately in a different location on the plant site. The estimated cost is about 13 million. And the costs are based on certain assumptions; for instance, the rate of return on access agreements and how much soil needs to be removed from each yard, so it can change.

This is a conceptual plan of where the
stockpiles will be, their locations. The stockpiles will be covered and protected, will be contained in a way to prevent water run-off and run-on, so contaminated soil will not migrate away from the stockpiles. A simple liner may be used to protect against leaching into soil and groundwater. What will happen with the soil will be determined during the final action of the plant site, OU3.

Alternative three is the same as alternative two except one difference. The excavated soil and fill material will be transported and disposed off site in a landfill in another community. One cost estimate is based on an assumption that all the soil is nonhazardous, and the higher cost estimate is based on an assumption that all the soil is hazardous. Hazardous has a specific regulatory meaning, and the soils material will be tested to see if it meets that definition. We know from investigations conducted at the plant site and our own experience that the soils will not all be hazardous or all be nonhazardous. It will be a mix, so the cost will be somewhere in between.

So in comparing the alternatives two and
three, there are certain things in common. An access agreement with the property owner will be needed to allow sampling and work. Excavated areas will be backfilled with clean soil and restored to previous condition. The owners will receive a letter from Illinois EPA documenting the sample results and the activities, the work done on their property. There may be some cases where all the contaminated soil or fill material is not removed. In those cases we may use institutional controls. There may be a marker barrier laid down, like orange snow fencing, to indicate that the soil beneath it is still contaminated. If the owner needed to access the soil, they could, but there would be some assistance provided to manage that soil. These details are still being worked out but could involve the use of the one-call system like you do for JULIE when you want to dig, a construction support program, with assistance from the responsible parties to handle and move that soil from your property to the plant area.

This chart compares the two alternatives. Alternatives two and three are very similar. They differ in cost due to transportation and
disposal cost. They also differ somewhat in the
treatment aspect. With alternative three we know that
the treatment criteria would only be partially met
depending on the status, hazardous or nonhazardous, of
the soil.

As far as the preferred alternative,
Illinois EPA prefers alternative two, primarily due to
those aspects of short-term effectiveness. There's
less risk to the community and workers due to less
truck traffic on village streets, less risk to other
communities from possible trucking accidents or spills
or accidents at the landfill. The same level of risk
reduction occurs within the village at a lower cost,
and responsibility for the soil brought back to the
plant site remains with the potentially responsible
parties.

We are almost done. This is the last
section.

I want to talk to you about the cleanup
goals that we are using. These are based on
protections to the most sensitive receptor, the child
that lives in DePue. If we protect the child, we also
protect the adults and the construction worker. We
know that a child who lives in DePue could also be
exposed to contaminants in the lake, so we considered
exposures from both the village area and the lake.
Those exposures include ingestion, inhalation, skin
contact and ingestion of garden produce grown in
people's gardens. And the exposures from the lake took
into account activities conducted in the lake, swimming
and boating and fishing and activities like that.

These are the cleanup goals that we came
up with. These cleanup goals are based on
concentrations protective against certain health
effects, and in the case of arsenic, protective against
cancer as well. Many of them were already calculated
by Illinois EPA or USEPA. In most cases these are the
same values that we used as the screening levels during
the 2013 investigation. Arsenic was a value we
developed specifically for this site.

You will notice that some of the
chemicals are in a green color. Those are the five
metals that exceeded the screening levels from all the
samples that were taken. We know that arsenic and
cadmium and lead will be the focus of the cleanup
activities. At least those three. We'll take more
data from the next 20 properties we sample to determine
if other contaminants like manganese and cobalt also
need to be addressed separately. If they do, we
already have cleanup goals established.

Finally, we talk about lead a little
bit. Risk from lead is assessed differently than from
other metals. The protective levels in the soil are
based on lead levels in children's blood. This also
represents a degree of risk or probability. It's not a
certainty or guaranteed fact. We use 400 parts per
million, milligram per kilogram as one of the cleanup
goals, and this means if a child is exposed at 400
milligrams per kilogram of soil over certain conditions
and time and so on, they would have no more than a five
percent chance for exceeding a blood lead level of 10
micrograms per deciliter. The 400 parts per million
and 10 micrograms per deciliter are under review at the
federal level. 400 parts per million is currently
being used as the cleanup goal at Hegeler Zinc near
Danville and proposed for Matthiessen & Hegeler in
LaSalle. It's the value we'll be using here.

Okay. So what's next? Next steps, as
Dean said, we'll take public comments tonight and
through July 14th. We will write a response to the
comments we do receive, and that will be part of the
record of decision when we select the final action for
this portion. We hope to complete that by summer -- by
the end of the summer this year. Then we move into
remedial design, which discusses the construction
specifications and field work. We'll work on that
through 2016. We have to negotiate a new consent order
with the potentially responsible parties, and hope to
accomplish that throughout fall and winter 2016 so we
can begin cleanup in 2017. There's a possibility that
we may be able to start access agreements earlier.
We'll try to get those started as soon as the process
will allow.

This is just a review of the closure of
the public comment date. You can request an extension
to the public comment period. We should receive that
request before July 14th. If you do not wish to submit
a comment tonight, here's the other ways you can do so.

And that ends my presentation, so I'll
turn it over to Dean.

MR. STUDER: Thank you, Charlene.

Okay. We've got a couple of -- about
three people that have indicated on comment cards they would like to make comments this evening. I will call their names when they are to come forward. When I call your name, the interpreter will have a cordless mike, please use the cordless mike to speak. Since we only have three people, I'm not going to necessarily put a time limit on them, but I do want to get through these three comment cards. And we may go back to people for additional time if we've got it, but I don't want someone to feel they have to stay here, you know, indefinitely and wait for someone else. So I would like the first comment round to be three minutes, which will be about six if you go through interpretation.

Okay. First person will be Eric Bryant, and if he would come forward.

MS. FALCO: Either one.

MR. STUDER: I'd ask that you speak -- use short phrases so the interpreter can interpret also for you.

Go ahead, Mr. Bryant. Would you spell your last name for the court reporter?

MR. BRYANT: My name is Eric Bryant, E-r-i-c, B-r-y-a-n-t. I'm the Village President of DePue, and
I'd just like to take a few minutes to kind of get out the big picture, the way things have affected us over the years and make a couple of small comments.

I would like first to show our appreciation for the Illinois EPA, in particular Charlene, who just gave you the presentation, who has been with us for, I don't know, the last seven years or so.

MS. FALCO: (Indicating.)

MR. BRYANT: Five.

And also for E&E. I don't know how many people realize that they are consultants for Illinois EPA and have been working for I think almost a year or more, always under contract but have been working without receiving pay because of the budget problems. So I compliment that company for doing what they are doing for us.

It's been 20 years, over 20 years since we started this process. During this time our children have had to endure all the different health risks, burdens; the residents in town, depreciation of the value of their homes and property. So with all these things in mind, I'd like to just make a couple of quick
points in relation to what is going on with this plan.  

We are happy that it's finally getting time where something is going to be done. We would like to see this plan moved ahead as quick as it possibly can. We don't think it should take this long. When children are involved, there's always an urgency, and urgency has not been at the top of the ladder dealing with our children over these last 20 years. We would like to see this cleanup process get going, especially with the 41 properties that have already been tested.

As our attorney, Nancy Loeb, will explain in more detail later, we are disturbed with the choice of 21 parts per million of arsenic being the standard level for the cleanup in DePue. At the M&H site it is noted in this plan that 400 parts per million for lead is being used, but for the arsenic level at M&H in LaSalle they are using 18.5. We think at a minimum we should be afforded the same level.

The other thing is the 18-inch level, that your property may not be totally cleaned up. An institutional barrier could be there for a long, long time, and the burden is on you or the people you sell
it to deal with it. If there is contamination in your property, it should be taken out regardless of the depth. We are not responsible for having it in our yard, so the people responsible should get it out of there without any burden on us.

The last point is the temporary storage of throwing all the contaminated soil over the fence, further contaminating OU3, the plant site, and leaving that to be taken care of later and making it tougher and more costly to clean up OU3. We want the contaminated soil out of town, and we want the most health protective standard that we can get for our people that live in OU4.

Thank you.

MR. STUDER: Thank you.

Nancy Loeb. If you could go ahead and spell your last name for the record, please.

MS. LOEB: My name is Nancy Loeb.

(Whereupon, the court reporter asked Ms. Loeb to speak into the microphone.)

MS. LOEB: My name is Nancy Loeb, L-o-e-b. I'm the director of the Environmental Advocacy Clinic at
Northwestern Pritzker School of Law and represent the Village of DePue in these certain proceedings. These comments are preliminary. The Village of DePue expects to submit additional comments in writing during the public comment period.

I would like to reiterate a critical point made by Mayor Bryant. The people of DePue have waited more than 20 years for their properties where they live and their children play to be cleaned up. There has never been any question that these properties are contaminated with dangerous heavy metals, and young children are being exposed to them. These are the yards, parks, ball fields and school yards where children play. To begin the entire process for the proposed plan itself was originally intended to speed up cleanup of OU4 in order to protect people's health. This process of the proposed plan short-circuited in-depth testing of things like absorption rates of the dangerous contaminants in the OU4 soil. Therefore, there are no site-specific -- that is, there are no DePue-specific standards for contaminants like lead and arsenic. The bottom line is in order to move quickly, IEPA does not know what levels of these contaminants
are truly safe at DePue. IEPA, therefore, has a responsibility to propose the most protective standard for these contaminants. The proposed plan does not do this.

For arsenic, the proposed plan uses a cleanup standard of 21.5 parts per million -- I'm sorry, that should be 21 parts per million. This is almost twice the background level for arsenic in this area of Illinois. It is also higher than the 18 parts per million USEPA is applying at the Matthiessen & Hegeler site just a few miles away. The proposed plan fails to provide any justification for using the higher arsenic removal standard at DePue.

For lead, the cleanup standard for lead in the proposed plan is based on an out-of-date and insufficiently protective health standard for lead. The proposed plan sets a removal level of 400 parts per million in the soil. That level is based on a model that uses 10 micrograms per deciliter as the target blood lead level in children.

(Whereupon, the interpreter conferred with Ms. Loeb.)

MS. LOEB: But that standard was cut in half by
the Center for Disease Control all the way back in 2012. The proper standard is five micrograms per deciliter. Here again, we do not have any site-specific information that would enable IEPA to conclude that 400 parts per million can achieve the five micrograms per deciliter standard. In the absence of such information, greater prudence and protection is called for to protect the children of DePue.

As Mayor Bryant pointed out, the proposed plan requires cleanup of residential properties only as deep as 18 inches. There is no explanation or reasonable justification in the proposed plan for this decision. Instead of fully cleaning up yards and ball fields and places where children play, the proposed plan puts a significant burden on the residents of DePue. In the future, residents of DePue will not be able to dig below 18 inches without getting further help. There is no justification for this, and it makes no sense. Many normal activities -- for example, just planting a tree -- often require digging beyond 18 inches. The people of DePue will be forced to bear the delays and possible digging up again of property sometime in the future. There is no
justification for subjecting residents of DePue to this
further penalty.

The institutional controls will reduce
the value of residents' property and make selling their
homes much more difficult. There is also a risk that
information about the institutional controls will not
be fully communicated in the future, and future
residents will be put unknowingly at risk.

With respect to the chosen option two,
the chosen option, which will essentially dump the
contaminated OU4 soils onto OU3 for an indefinite
period, is unacceptable to the Village of DePue. It is
dangerous from both a human health and environmental
risk perspective. This plan subjects property in DePue
to potential increased flooding with contaminated
waters. Water already overflows onto Village streets
during heavy storms. This has been documented.
Placing thousands of tons of additional contaminated
soil on the former plant site, OU3, will likely lead to
increased flooding of contaminated waters during heavy
storms.

It is also well documented from studies
done at OU3 that the groundwater is being contaminated
by the slag pile and contaminated soils. This issue
was briefly addressed by Ms. Falco during her
presentation, but far more information about how the
groundwater under OU3 will be protected is needed.

Also with respect to the choice of
option two, the cost analysis on which the choice of
option two is made is not sound. The analysis assumes
that there will never be a cost for proper storage of
OU4 soil. That is unrealistic. At some point the OU4
soil will have to be properly disposed of. Therefore,
the proper cost comparison is the total cost of each
option over time, not the short-term cost looked at
here. All that option two does is delay the cost of
proper disposal of OU4 soil. In reality, option two
might even increase the overall cost of proper disposal
of OU4 soils. Soils will have to be moved twice, once
during OU4 remediation and again during OU3
remediation.

The time frame during which the OU4
soils will be stored on OU3 is likely to be a long one.
Studies are still being conducted on OU3, and OU3 is
likely years away from finally being cleaned up. The
harm from moving the OU4 soils to OU3 will continue for
several years making this option even less acceptable. Further, there is no support for the suggestion in the proposed plan and the presentation tonight that moving the OU4 soils to a nearby off-site facility for proper disposal is riskier than on-site temporary storage. The proposed plan, therefore, fails under several of the evaluation criteria, including number one, overall protection of health and the environment; number three, long-term effectiveness and permanence; and number nine, community acceptance. Moving on to another issue, the proposed plan requires testing of only 20 additional residential properties before a decision will be made whether to continue testing for cadmium, cobalt and manganese. The proposed plan does not adequately explain why 20 additional properties is sufficient and does not describe where the additional properties will be located or why those properties are sufficiently representative. We know from the pilot program that these metals are above safe levels in some properties in DePue, but we don't know where they are, and in fairness to the people who live here, their properties should be tested to make sure they are safe.
Moving on, the proposed plan provides for a very long time frame for accomplishing the OU4 cleanup. Under the proposed plan, some children would continue to be exposed to these dangerous heavy metals for at least another three years, and the proposed plan does not prioritize cleanup based on risk or contamination patterns seen in the OU4 pilot study. The property most likely to be more heavily contaminated should be prioritized for the OU4 cleanup.

I would like now to discuss an issue that was not discussed in the presentation. The proposed plan does not require a sampling at a measure zero from the surface to just one inch and a second interval from one inch to six inches. Instead, the proposed plan allows sampling of zero to six inches including that entire span to determine what will be an average for whether something should be cleaned up. Use of only the zero-to-six-inch interval is inappropriate at the smelter site. At a smelter site like DePue, aerial deposition of metals is the primary concern. The contaminated soils are more likely to be closer to the surface. Technical assistance provided by USEPA in the task review of this proposed sampling
method and comments previously made by task review
pointed out that this sampling method is not fully
supported by the DePue site documents.

    I would also like to address the access
agreement which was mentioned but not fully explained
this evening. The access agreement that you will be
asked to sign provides for just one sign-off on
sampling and cleanup. The access agreement as drafted
does not describe the institutional controls. Without
this information, residents cannot give knowing consent
to what cleanup of their property actually involves.

    And to conclude, the Village of DePue is
pleased that cleanup of OU4 is finally moving forward.
As Mayor Bryant said, we very much appreciate the work
of Illinois EPA and E&E which has assisted
significantly here. However, the proposed plan has
deficiencies that must be corrected, and the cleanup
must happen much more quickly than the proposed plan
allows.

    Thank you.

    MR. STUDER: Thank you, Ms. Loeb.

    Grant Bosnich.

    MR. BOSNICH: Good evening, everybody. How you
doing? First, thank you to Mr. Bryant, Mayor Bryant, and Ms. Loeb who so eloquently --

MR. STUDER: Can you spell your name for the record?

MR. BOSNICH: Sorry?

MR. STUDER: Can you spell your name for the record?

MR. BOSNICH: Oh, yeah. Bosnich -- Grant, G-r-a-n-t, and then Bosnich, B-o-s-n-i-c-h.

So, again, thank you to Mayor Bryant and Ms. Loeb. I completely understand the need for a translator and I think it's great, but I encourage everyone, both English and Spanish speaker, to go back and reread the transcript from Ms. Loeb's remarks. She highlights numerous deficiencies in this plan, which aren't just hypothetical or hopeful, but are backed by solid numbers. And, unfortunately, I think the effect of those numbers were somewhat lost in the format of this presentation. Furthermore, I would also encourage you to share those remarks specifically by Ms. Loeb with your friends and family so they can also be informed of the shortfalls of this plan.

Now I don't have any formal remarks, so
I'll try to be concise and clear, and I would like to start with a few brief anecdotes to contextualize my remarks.

I look around the room, and I think there are two people under the age of 30, and I don't mean to be estimating wrong on anyone's age. I am 21 years old. DePue was named a Superfund site in 1994 -- '99. Well, nonetheless, this fight has been a fight over my lifetime, so it's no wonder that there are two people of my generation in this room. Of course, the beat dog cowards when the hand is raised.

Second anecdote: I was at work the other day, and a man mentioned -- I was talking to a co-worker. I told him I was from DePue, and he said, oh, I was thinking about buying a house there. He said, yeah, I decided against it, I heard the water is bad.

Final anecdote: My girlfriend came to visit two weekends ago. She's a life-long resident of Chicago. We came down Route 6 by the junction, came through Smokey Hollow down towards the lake. She remarked, man, you know, the lake is beautiful, it's a really cute town. And we came up past the library, and
we turned right. I think that's Broadway there heading
up towards White City, and I had to explain to her the
fenced-in position that DePue sits in. Much like the
pollutants that sit on OU3, we are boxed in, and a lot
of times it looks like the EPA would like to take
option two and just pile it on us.

I would like to thank the EPA. I do
respect the work they do, not just in DePue but
throughout Illinois. But, for the record, I would like
to say that it's a little bit insulting that we take
haphazard -- or excuse me, haphazard attempts at
cleanup are proposed because the dollar amounts are
smaller.

I'm not sure if I will ever seen a clean
DePue, and it's certain after my 21 years that I have
yet to see one. While this plan is a step in the right
direction, I fear we are headed down the wrong road.
Killing time does injure eternity, and while the health
of our -- my little sister, my little cousin who is two
years old who lives in town, while the health of these
children and the adults in this room need to be
concerned, I have seen nothing in my four years of
staying involved with this case that suggests cleanup
is really on the table. Rather, decent headlines,
appeased the citizens and avoided class action
lawsuits.

In closing, again, I urge you to reread
Ms. Loeb's remarks detailing the specifics of how this
plan is not morally or frankly I think legally
justifiable. Please share her remarks with your
friends and family throughout town and do not settle
for little. Remember, we are Giants.

MR. STUDER: Thank you, Mr. Bosnich.

Is there anybody in the room that has
not spoken that would like to make a comment on the
record this evening?

Okay. We listed a closing time for the
public meeting of 8:00. I've got about nine minutes
to 8. We are going to officially go off the record for
a few minutes, and we're going to come back on the
record a few minutes before 8 and officially close it
out.

Okay. We'll officially take a short
recess at this point.

(Whereupon, a break was
taken.)
MR. STUDER: Okay. I think if you'd like to make your way back to your seats, we'll go ahead and go back on the record.

Charlene, did you have any closing comments you wanted to make?

MS. FALCO: Yeah. I just wanted to remind everybody that we will be responding to comments we receive. It's referred to as a responsiveness summary, and we'll do what we can to make sure copies of that are accessible and available to everyone.

There is a community advisory group. They meet about every six weeks. The next meeting is July 13th at 6 p.m., and I report on current activities, and I'll give a little update on where we are on everything, including OU4.

But we will respond to every comment received, and thank you very much for coming out tonight. Thank you for your patience, and thank you for your respect and the care for your community.

MR. STUDER: I also want to thank everyone for being here tonight. You have been very patient and very respectful of everyone's time, and we appreciate that. There is a comment period that's open until the
14th of July.

Thank you again.

(Which were all the proceedings held in this matter.)
STATE OF ILLINOIS )
) SS:
COUNTY OF LASALLE )

I, BRENDA KAY LAUNIUS, being first duly sworn on oath, say that I am a Certified Shorthand Reporter doing business in the City of Ottawa, County of LaSalle, Illinois; that I reported in shorthand the proceedings of the public meeting on the 29th day of June, 2016; and that the foregoing is a true and correct transcript of my shorthand notes so taken aforesaid and contains all the proceedings given in said meeting.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 6th day of July, 2016.

______________________________
BRENDA KAY LAUNIUS
Certified Shorthand Reporter
Ill. License No. 084-001462