



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

March 29, 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 November 2011. This letter is Update 3.

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: Additional groundwater monitoring wells will be installed south of Lake DePue in the Illinois Department of Natural Resources Dredged Soil Disposal Area. The wells are anticipated to be installed in early April or as soon as conditions permit. Soft soil conditions caused by the mild winter have caused several cancellations of the DePue Group's attempts to install these wells. The DePue Group anticipates providing a comprehensive hydrogeological study that incorporates this work to Illinois EPA in summer, 2012.

Operable Unit 3 – Former Plant Site Area: The DePue Group has submitted its Phase 2 Remedial Investigation Report for OU 3. Illinois EPA will coordinate its review of the report with the Village of DePue.

Operable Unit 4 – Off-Site Soils: Illinois EPA has recommended a Superfund presumptive remedy for OU4. The presumptive remedy for metals in soil is “containment” and Illinois EPA expects contaminated soil to be excavated from residential yards and other areas and contained, either on-site or off-site. The Design Study will encompass investigation, remediation, and restoration of affected property and was submitted in early March. Illinois EPA will coordinate its review of the report with the Village of DePue.

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 will need to 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.

Interim Consent Order: An enforceable schedule for work at OUs 2, 3, 4, and 5 is needed to assure that the required work is performed at these units as soon as possible. After consultation with the Office of the Illinois Attorney General, the Illinois EPA believes that the quickest way to accomplish this is through the existing interim consent order rather than through a new amendment to this existing order. The existing interim consent order already allows for the creation of an enforceable schedule. Illinois EPA recently negotiated such a schedule with the DePue Group, and it is now in effect. The schedule is enforceable under the terms of the Interim Consent Order and failure to comply with that schedule may result in sanctions as specified in the order.

Community Outreach: On December 11, Illinois EPA conducted a second informational session at St. Mary’s Church in DePue in order to hear the concerns of the local Hispanic community about the Superfund site. The Illinois Department of Public Health was also represented. Village President Eric Bryant attended. Illinois EPA provided a brief summary of the current status of site work and took questions from the audience. Illinois EPA anticipates meeting with this community on a quarterly basis. The next meeting will likely be in April and will focus on plans for Operable Unit 4. The Information Repository at the Selby Township Library was updated in December and Illinois EPA is exploring ways to have more documents translated into Spanish and available through the Information Repository or Illinois EPA web site.

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Illinois EPA anticipates providing the next update to you in June. 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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