



## Waukegan Harbor Citizens' Advisory Group

P.O. Box 297

Waukegan, Illinois 60079

<http://waukeganharborcag.com>

**Minutes of the November 19, CAG meeting held at Lilac Cottage, Waukegan Park District, Waukegan respectfully submitted by Natalie Dutack, acting as Recording Secretary of the Waukegan Harbor Citizens' Advisory Group.**

The November 19, 2015, meeting of the Waukegan Harbor Citizens Advisory Group was called to order at 6:10 pm by Chair, Susie Schreiber.

The Chair welcomed those in attendance and asked everyone to identify themselves and any group that they represent.

### **Attendance at the November 19, 2015 CAG Meeting:**

<b>Larry Brewer</b>	Concerned Citizen
<b>Tom Chefalo</b>	Lake County Planning, Building & Development
<b>Lisa Luhr Draper</b>	Concerned Citizen
<b>Tim Drexler</b>	USEPA
<b>Natalie Dutack</b>	GLRI Quality Assurance Manager
<b>Claudia Freeman</b>	Waukegan Park District
<b>Joe Hmieleski</b>	Project Manager – Waukegan Dunal Area
<b>Paul Kakuris</b>	Concerned Citizen
<b>Bill Lebensorger</b>	GLRI Grant Administrator
<b>Jamie O'Meara</b>	Waukegan Port District
<b>Monica Onyszko</b>	USEPA
<b>Rich Romanek</b>	National Gypsum
<b>Susie Schreiber</b>	Illinois Audubon
<b>Chris Tanner</b>	Tanner Environmental
<b>Fred Veenbaas</b>	NRG, Inc. Waukegan Station

### **GUESTS:**

<b>Julio Guzman</b>	Lake County Nature Network
<b>Tim O'Leary</b>	Concerned Citizen

### **AGENDA**

No additions.

### **MINUTES**

Minutes are not yet completed, but all the back minutes should be ready for January's meeting.

**UPDATES**

**USEPA**

**Yeoman Creek Landfill**

The USEPA-approved biweekly landfill gas monitoring continues routinely with no significant changes. The Yeoman Creek Remediation Group is expected to submit two reports to the USEPA:

- Report 1: A revision of their Phase II Remediation Plan for addressing the methane exceedances at the Terrace Nursing Home parking lot. (This report is expected in late November or early December 2015.)
- Report 2: A third party evaluation of sediment/soil PCB data for the creek itself, specifically YCRG’s response to USEPA's comments on that evaluation report.

**Johns Manville Corp. site**

One of the goals for the site continues be the prevention of exposure to, or release of, asbestos containing materials (ACM) or asbestos fibers. The current work schedule has been prolonged because of disagreements between utility companies that own or have easements on the land along the western boundary of the site. The revised schedule projects construction to continue until December 19<sup>th</sup> of this this year with hours of operation between about 5:30 am and 6:30 pm. The work is expected to resume in early 2016 when weather permits. (See table below)

Table 1  
2015 Remedial Construction Schedule (5)  
Johns Manville (JM), Waukegan, IL

Construction Activity (Weather Permitting)	2015			
	1Q	2Q	3Q	4Q
Industrial Canal Backfilling and Final Cover Construction, including Borrow Pit sand dredging (3)				
Sand Transportation from NRG Stockpile to Johns Manville (1)				
Southwestern Site Area of Concern - Utility Work by Owner (Greenwood Ave, Westside of JM				
Southwestern Site Area of Concern - Soil Removal and Restoration (West side of Johns Manville site) (2)				
Former Manufacturing Area - Voluntary Site Remediation Program - Engineered Barrier construction (1)				

**Notes:**

1. Sand transportation, 7 am to 5 pm Mon-Fri on Johns Manville property - activities ending Dec. 19, 2015. Daily activities will commence sooner and last longer within the boundaries of the NRG property. Trucks will be loaded at NRG Sand Stockpile, cross Greenwood Ave. near Generating Station Building, and unload & spread on Johns Manville Former Manufacturing Area and Industrial Canal.
2. Construction activities, 5:30 am to 6:30 pm Mon-Fri, 5:30 am to 5:00 pm Saturdays - activities ending Dec. 19, 2015.
3. Borrow Pit dredging of clean sand needed for Industrial Canal, schedules same as Note 2- activities ending Dec. 19, 2015.
4. Diesel powered dewatering pumps will run 24 hrs/day, 7 days a week - activity ending by Nov. 20, 2015.
5. Construction activities not completed by Dec. 18, 2015 will resume in early spring 2016.
6. Intermittent utility work by owner - not scheduled or controlled by Johns Manville. Work typically lasting less than 1 to 3 days

Johns Manville continues to remove soils and ACM debris from the southern portion of Operable Unit (OU) 04 on the western boundary of the site and backfilling the cleaned areas. They expect to continue operating dewatering pumps in this area until late November, 2015. The water is being discharged to the North Shore Water Reclamation District. Soil containing ACM that is 8 inches or smaller has been placed in the Industrial Canal along the northern property boundary. Soil with larger debris is being consolidated in the Black Ditch Area of the site. Final cover continues to be installed at west end of Industrial Canal.

About 2,000 to 2,400 cubic yards of sand from NRG, Inc. is also being brought to the site daily for placement on the Former Manufacturing Area (OU 05) and Industrial Canal.

USEPA is waiting to hear back from the State of Illinois about the next steps for a remedy at OU 06 also known as Site 1 or the Nature Preserve Road—after meeting at the site in September, 2015. OU 06 concerns include that asbestos containing materials are visible at the surface after the last pickup of ACM in April, 2015 in this area and a remedy has not been proposed to the public.

### **Outboard Marine Corporation site**

*Tim Drexler*

Substantial completion of the OMC Plant Two site has been achieved. Most of the work has been conducted on the western portion of the site where an area of utilities needed capping with an asphalt cover. PCB and trichloroethene (TCE) soil contamination was found below the Triax building. Soil was mixed with an oxidizer, sodium permanganate. Some filling was conducted in low lying areas where PCB contamination was below the water table. Three feet of cover was placed in ninety (90) 50x50 square foot areas.

The only work that remains is in the storm water drain that runs along western side of site. There was some residual PCB contamination in the sediment in and around the pipe. It was removed and hauled off site.

Operation of the water treatment plants on the western and eastern sides continue. Most water has been drained and treated. We will maintain the monitoring wells. The site will then be turned over to the state (IEPA) and the City of Waukegan. USEPA will continue 5 year reviews of the effectiveness of the remedy.

#### *Questions:*

*Who determines who maintains the OMC site?*

That is between the City of Waukegan and IEPA; it needs to be worked out and a new agreement will have to be reached. Part of the City's responsibility is financial, and they must maintain some portion of the site.

*There is a problem with storm water ponding in the south-west corner. Is it being resolved?*

We are trying to contour the site so storm water drops on site and stays on site. As far as water flowing from the west, we hope that clearing up the storm water line will help solve that problem.

*There is still water on the east side. What happens to it?*

It will remain.

*Is there a connection to the South Ditch?*

No. The City needs to decide if there will be infiltration basins or if they want it to drain into the lake, and they will have to think of the consequences.

### **IEPA**

*Nothing to report.*

### IDNR

All fish samples have been collected and delivered to IEPA for contaminant testing. We should be on schedule to get results by March, 2016.

The Waukegan Harbor CAG continues to submit reports to IDNR, to ensure all partners know what is going on with Grant progress.

### City of Waukegan

*Nothing to Report.*

### CAG BUSINESS

#### Ecology and the water's edge

*Joe Hmieleski*

**Water's Edge & the ordinary high water mark:** The history of what determines the water's edge has passed down through the courts. Our state boundaries extend into the Great Lakes. The Clean Water Act created the Waters of the United States, which defines all lakes and rivers that are navigable or tributaries to navigable waters as being under federal jurisdiction. The US Army Corps of Engineers (USACE) regulates Waters of the US which means there are overlapping jurisdictions. USEPA is ultimate authority – they make the rules, and USACE implements them.

USACE regulations define the term “ordinary high water mark” which is the boundary, marked in elevation, of federal jurisdiction; everything to east of the ordinary high water mark is USACE designation. Lake Michigan is hard to define because sand, waves, and weather action can change shorelines, but the official ordinary high water mark is 581.5 feet. The ordinary high water mark can be higher than water level, which means there is a lot of beach that is actually under USACE jurisdiction. Cities do not have regulatory authority over these areas.

**Shoreline Ecology:** The very same shoreline areas whose jurisdictions we have just defined are also some of the most critical to the ecology of coastal areas and the health of the Lake. When water permeates into the ground, it flows down by grade and discharges into lower areas, with all ground water flowing into the Lake. The water table interacts with the lake /shore. Why are these areas critical? The short answer is: the nitrogen cycle. The aerobic and anaerobic conditions found in shoreline wetlands are needed to fix nitrogen. These are defined as the saturated wetland areas, requiring 10-12 days of total inundation to create that anaerobic zone, and aerobic soil surface areas. Nitrogen is released from decaying organic matter under both aerobic and anaerobic conditions. This then moves to the aerobic layer where it is converted to nitrate. Plants convert nitrate into N<sub>2</sub> which we can breathe. In anaerobic areas wetland plants oxygenate soil. Without both aerobic and anaerobic conditions some of the cycle processes can stop, allowing pollution to occur. Hence, determining and defining the water/land boundary and who manages it, is very important for ecology.

#### AOC in Recovery

A draft of the International Guidance document was sent out to the Waukegan Harbor CAG and GLRI Grant Administrative team. This was drafted in October, and we have been asked to review and give comments back by end of the month. The document outlines the new AOC designations, how to determine when cleanup is done, what to do once cleanup is done, and how to maintain our sites. There

is a new designation of **AOC in Recovery** and the document offers guidance for managing these areas. This designation reflects the status of an AOC after all the cleanup activities have been completed, but before all BUIs have been removed.

We have 3 remaining BUIs (out of 6 original BUIs) and, as we heard earlier, and we should have those sampling reports in 2016.

Thus, we are not actually listed as DELISTED and we are at the “testing to confirm” stage. This seems to indicate that we are probably nearing an AOC in Recovery status. A motion identifying AOC in Recovery as the preferred designation was made by Jaimie O’Meara. It was seconded by Larry Brewer and passed.

Comments:

- Yes, that (AOC in Recovery) makes more sense, and it describes the situation here well. From a perception standpoint, you would want to know it is in RECOVERY. It’s a good qualifier so the public knows the status of work.
- We should also look into the science being used to determine the status.
- We need to find out if we miss out on anything by moving from the status of AOC, to the status of AOC in Recovery.

***Please send additional comments to Penny Bouchard or Mark Tuchmann - we want to know what people in the AOC think and feel.***

#### **IDNR Lake Michigan & Coastal Area Campaign**

The Waukegan Harbor CAG received an extensive 30 page document on September 9<sup>th</sup>, with no time to review. The IDNR did not come to meeting, but asked for a 9 day turn around review in their Sept. 9<sup>th</sup> email. We will try to work with Executive Committee to get it out to you. We want to see where the IDNR is going with Coastal Zone. The document will be put on the CAG website next week.

#### **State of Lake Michigan Conference**

The Conference was a multi-day event. The first day was filled with field trips and discussions. One of these was the Kids Creek Restoration Project. There were multiple aspects to the project, with reduction of rainwater runoff as a primary goal. Stream banks were stabilized and flow was changed to a meander, increasing the stream from 900 to 1300 feet. A trail was established for use by the adjacent cancer treatment center and permeable paver parking lots were built. Restoration work, planting and daylighting were all part of the project.

One presentation at the conference weighed in on the risks of opening dams, noting issues like invasives, ecological connectivity, and costs. Throughout the presentation measurement and research were emphasized – they wanted to make sure they were making best use of tax payer dollars. The economic benefit of cleaning lake, beach, dunal areas, and fisheries were often highlighted throughout the conference. Other notable topics include:

- Piping Plovers – 2015 was a good year, with a nesting pair returning to the Illinois shoreline (in our Extended AOC Area)!
- Raccoon’s Disruption of local ecosystems - Herpetologists are studying the harmful effects raccoons have on reptile and amphibian populations. Raccoon populations are increased in part due to human modifications to the landscape, primarily the availability of garbage. The problem is that the garbage attracts them and then they turn to feeding on reptiles and amphibians.
- Lake Trout - Forecasting unlimited consumption of Lake Trout by 2035.

All in all, a very positive conference experience by attendees, though some presentations were not made for the layman.

### **Waukegan Lakefront Active Implementation Plan**

The Edgewater Group, hired by the City of Waukegan to work on the lakefront development plan update, just had their public November meeting. Reporting results of the public input at the meeting is going out to the City of Waukegan in early December. They will be making decisions based on on this report from the Edgewater Group.

Paul Geiselhart went over to Benton Harbor, a project the Edgewater Group worked on, and noted that they did a great job. There were many retailers, good restaurants, busy streets, lovely Christmas lights, scenic observation seating, and much more. Benton Harbor is a more of a “blue collar” community with similarities to the Waukegan Harbor AOC.

### **Lake County Nature Network**

Lake County Nature Network (LCNN), formally Leave no Child Inside, is a collaborative effort to better connect Lake County’s Latino and African American communities to nature-based learning, science, recreation and stewardship activities within Lake County. Julio Guzman is meeting with Lake County constituents, Waukegan and North Chicago in particular, to do nature based outreach with each of them. LCNN meets once a month.

### **Monarch Joint Venture**

There is a push to have local urban park districts to put up Monarch (Butterfly) Way Stations. We were hoping to put one in at the swimming beach, based on the research and efforts of last year’s Eco Ambassadors. Unfortunately, the City decided to take the area down and this critical habitat has declined greatly in size.

### **GLRI Final Reports Format and Audit**

We finally got a Report outline from USEPA. We will now actively begin drafting the final reports.

### **YOU ALL MAKE A DIFFERENCE**

Thank You for the First 25 Years! We have a bit of a distance to go, but it’s doable. Happy Holidays to all, and see you in the New Year!

### **ADJOURNMENT**

A motion to adjourn was made by Jaime O’Meara and seconded by Chris Tanner. The motion passed and the meeting ended at 8:16 pm.

## **CAG Members**

*Abbott Laboratories  
Akzo Nobel  
Alliance for the Great Lakes  
Bombardier Recreational Products  
City of North Chicago  
City of Waukegan  
College of Lake County  
Commonwealth Edison  
Great Lakes Sport Fishing Council  
Illinois Audubon Society  
Johns Manville  
LaFarge Corporation  
Lake County Audubon  
Lake County Chamber of Commerce  
Lake County Planning, Building and Development Dept.  
Lake County Health Department  
Lake County Stormwater Management Agency  
Larsen Marine, Inc.  
LFR Levine • Fricke  
Liberty Prairie Conservancy  
Midwest Generation  
National Gypsum  
North Shore Gas  
North Shore Water Reclamation District  
Outboard Marine Corporation  
Salmon Unlimited  
Sierra Club – Illinois Chapter*

## **CAG Members (continued)**

*Waukegan Charter Boat Association  
Waukegan Main Street  
Waukegan Lakefront Development Corporation  
Waukegan Park District  
Waukegan Port District  
Waukegan Yacht Club  
Concerned Citizens*

## **CAG Associates**

*Chicago Metropolitan Agency for Planning  
Delta Institute  
Illinois Citizen Action  
Illinois Department of Natural Resources  
Illinois Environmental Protection Agency  
Illinois-Indiana Sea Grant  
Illinois Lake Management Association  
Illinois Pollution Control Board  
International Joint Commission  
Maritime Administration  
U.S. Army Corps of Engineers  
U.S. Environmental Protection Agency  
U. S. Fish and Wildlife  
University of Illinois- Marine Extension  
Waukegan Public Library  
Concerned Citizens*

## WEB SITES

<http://www.waukeganharborcag.org>

The Waukegan CAG website.

<http://www.epa.state.il.us/environmental-justice>  
<http://www.ilenviro.org>

Illinois EPA – Environmental Justice website.  
Good listing of all environmental bills in the IL House & Senate.

<http://www.glc.org>  
<http://www.binational.net>

Great Lakes Commission.  
Great Lakes Binational Toxics Strategy – Annual Progress Report  
Great Lakes Water Levels

<http://www.glerl.noaa.gov/pubs/brochures/wlevels/wlevels.html>  
<http://www.cciw.solec>  
<http://www.epa.gov/glnpo/solec>  
<http://www.lkmichiganforum.org/>  
<http://www.epa.gov/glnpo/lakemich>  
<http://wi.water.usgs.gov/lmmcc/index.html>  
<http://www.epa.gov/lakemich>  
<http://www.sph.umich.edu/ehs/umaql/mass.html>  
<http://www.epa.gov/glnpo/lmmb>  
<http://biology.usgs.gov/S+t/noframe/x186.html>  
<http://www.gvsu.edu/wri>  
<http://www.epa.gov/OST/GLI/glimixqa.html>

State of the Great Lakes – SOLEC full report

The Lake Michigan Forum  
Lake Michigan Lake Wide Management Plan (LaMP 2000)  
Lake Michigan Monitoring Coordinating Council  
Lake Michigan Sensitive Areas  
Lake Michigan Mass Balance Study  
Lake Michigan Mass Balance  
Zebra Mussels in Southwestern Lake Michigan  
Annis Water Resources Institute  
A document on Bioaccumulative Chemicals of Concern (BCCs)

## USEPA WEB SITE

Go the EPA Home site at *epa.gov*

Select *Illinois* from the map. It will go to an Illinois page.

Then select *Outboard Marine Corp Superfund Site* in the *EPA in Illinois* section.

Addition information may be reached by the top right hand box labeled *Site Information*.

Select *NPL Fact Sheet*. At the bottom you can click on *Site Profile Info* and it will take you to Superfund.

The Superfund Site Progress Profile contains the following additional information on the Superfund sites:

The site, contamination, cleanup progress summary, cleanup impact summary, land re-use, post-construction, five year review and community involvement.

For Area of Concern Information:

Go the EPA Home site at *epa.gov*

Select *Illinois* from the map. It will go to an Illinois page.

Select *Great Lakes Area of Concern* in the *EPA in Illinois* section.

Choose *Waukegan Harbor* for AOC information.