

Subj: **Johns-Manville Petition AS 04-04**  
 Date: 11/22/2004 6:08:05 PM Central Standard Time  
 From: MUNDYCAMP  
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 CC: Pakcoastal

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NOV 23 2004

STATE OF ILLINOIS  
 Pollution Control Board

*PC#1*

Dear Ms. Crowley and Mr. Halloran,

I have been asked by the Illinois Dunesland Preservation Society (The Society) to comment on the above reference petition which will be heard tomorrow in front of the IPCB. It is our understanding that three main issues regarding groundwater and related contamination will be addressed. Our comments are as follows:

1. Groundwater flows from the JM site into the Federally Protected Critical Habitat and State Dedicated Nature Preserve of Illinois Beach State Park (the Nature Preserve). This special property is under several State and Federal protections. The Society is currently seeking re-classification of the Nature Preserve to Class III Special Resources groundwater. We ask that the IPCB consider the special protections afforded this property in consideration of future Illinois citizens.
2. The JM property is bordered on the south by property leased to the IDNR as a public access beach/fishing pier. The property due west is currently under the Illinois EPA SRP and will be used by the Waukegan Park District as an outdoor athletic field and sports complex specifically designed to bring children into the area. The property east is the navigable federal and state waters of Lake Michigan. The property directly north is the Federally Protected Critical Habitat and State Dedicated Nature Preserve. The areas surrounding the JM site have extensive public access and significant value to the current and future citizens of Illinois. We ask that the IPCB consider the highly encouraged use of the public property surrounding these JM site when evaluating the adjustments requested in the petition.
3. The land directly south of the JM site has undergone recent remediation as "Site 2" of the JM Superfund cleanup. During this cleanup of asbestos contaminated soil, the Society noticed non-asbestos contamination in the area. The USEPA investigated and informed the Illinois EPA in 2002 that non-asbestos pollution above Illinois TACO standards exists in this area. The Society believes this pollution may exist under the JM property as well. To our knowledge there has not been any investigation into this pollution by the Illinois EPA. We believe this pollution is a contributing contaminant to the groundwater that requires proper monitoring and remediation.
4. The Superfund cleanup inside the JM property was at one time an issue to the State of Illinois. In a report of Significant Differences in the Amended Consent Decree, JM was allowed to cap waste in the JM site with two feet of clean fill. The State objected stating a landfill in Illinois would require more cover. The USEPA denied this request by stating the pressure of the additional cover would force asbestos contamination in sludge found at the site to enter the groundwater. The Society is concerned that the unlined JM landfill is currently polluting the groundwater in the Nature Preserve. We ask that the IPCB review what limited testing has been done of contaminants inside of the JM site in soils, sludges, sediments, and groundwater that enter the specially protected land and groundwater of the Nature Preserve. We ask that proper testing for appropriate contaminants be conducted before considering the petition.
5. The Society is currently commenting on the State Consent Order and is asking to intervene on the Federal Amended Consent Decree related to the JM site. We believe that the remedies contained in both the State and Federal actions are not protective of human health nor the environment. The Society notes that the JM adjustment in the petition can not take place until both the federal and state cases are approved by the Courts. The Society asks that the IPCB delay any decision on the JM petition until the State and Federal Courts rule on these issues in the next few months.

Thank you for your consideration of our concerns in this important matter. Documents in support of our position are available through the Illinois EPA. The Society can produce these support documents upon request.

Cordially,

*Jeff*

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# Illinois Dunesland Preservation Society

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A FAX From: Paul Kakuris

Date NOV 22, 04

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STATE OF ILLINOIS  
Pollution Control Board

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Number of Pages Including This Cover Sheet 2

Message:

- MR. CAMPLIN SAID YOUR E-MAIL DID NOT WORK.
- HERE ARE THE COMMENTS