

incinerator or kiln on site, which was used to burn off solvents that could not be collected. Quebecor World had an Air Permit to do that.

Councilwoman Morgan indicated it has been a number of years since the printing plant was on site, and asked if these contaminants ever go away on their own. Mr. Zirkle responded that they will stay in the soil longer than any of those present will be alive. They have a tendency to join natural microbes that then recontaminate what was formerly "clean".

Councilman Farley asked why Seed America did not have to continue the remediation program. Mr. Zirkle indicated that if a purchaser is a "cash" buyer, they can sometimes fly under the radar of EPA.

Mr. Zirkle indicated there are two types of enrollments in a voluntary cleanup program, 1) Focused; and 2) Comprehensive. The ultimate goal of a remediation program is to obtain a NFR (*No Further Remediation*) letter from EPA, which is recorded on the property deed and remains with the property.

City Manager Gruen asked if Mr. Zirkle feels confident the study performed previously is trustworthy. Mr. Zirkle indicated he knows the author of the study, Bob Nada, and his trusts that his work is very thorough. Mr. Gruen asked if there were underground tanks on the site. Mr. Zirkle indicated there were, but it appears they have all been removed. There were apparently many above ground tanks, as well.

Mr. Zirkle indicated the Voluntary Clean Up plan can involve as small a site as the corner gas station and as large as the WCP site. The process involves the following steps:

- Enroll in the Program
- Perform a Phase I Environmental Site Assessment
- Decide if you are doing a Focused or Comprehensive clean up
- Define environmental programs
- Determine what clean up that has to be done
- Prepare a remedial action plan
- Submit a final report
- Receive a NFR Order

Councilman Morton asked how long it would take to remediate the WCP site. Mr. Zirkle responded that it could take four to five years. Zirkle added that remediation costs are affected by how much time you can spend on the cleanup. The quickest way to remediate, dig and haul, is also the more expensive way to remediate.

Mr. Zirkle indicated that when remediation efforts first started years ago, the goal was to return levels to "pristine". Since that time, it has been determined that if there are ways to protect people from exposure, sites do not have to be returned to "pristine". Ways to eliminate exposure can involve installing concrete over land; prohibiting installation of wells; and eliminating private drinking water sources. Mr. Zirkle added that the ILEPA has an agreement with the USEPA, in that once a property has received an NFR letter from USEPA, ILEPA will not pursue them further.

Councilman Farley asked, if the City decides to move forward on a Phase II, what the costs would be. Mr. Zirkle responded that he could only give a ballpark figure, but the lab costs for samples are \$1,000 per sample, and the cost could be \$100,000 to \$150,000.

Mr. Zirkle indicated a site can just sit, and may remain under EPA's radar for 20 years until a contaminate causes a complaint, then IEPA may come in. IEPA can require that the immediate threat be remediated, and the land can be fenced off and not left in redevelopable condition.

Mr. Zirkle indicated there can be some financial assistance available through the Office of Site Evaluation. This office was originally formed to handle Super Fund sites, but during the last 10-15 years has begun assisting municipalities with Brownfield sites. Mr. Zirkle indicated he is fairly confident Fehr Graham could assist the City in obtaining some assistance. The first step is for the City to adopt a Resolution asking for the assistance, and then forming a partnership between the consultant and the EPA. Also discussed were legal avenues for making the entity that caused the contamination to make legal restitution to pay for the cleanup. Mr. Zirkle indicated he has an associate who would come to Salem to advise Council on that type of action, if desired. Some municipalities have used local ordinances to charge the site owners with ordinance violations at \$750.00 per day, per count, which add up to hundreds of thousands of dollars. These violation fees are usually reduced by a settlement agreement with the municipalities. Additionally, most environmental attorneys charge \$400.00 to 600.00 per hour.

Councilman Morton asked how the City would obtain the WCP property, if it decides to. City Manager Gruen indicated that the taxes on the property have not been paid, and will go up for public auction in February 2016. The taxes are currently held by a Joseph E. Meyer and Associates, which is a firm that purchases most of the unpaid tax properties, on behalf of the Counties, in Illinois. Mr. Gruen added that one way to avoid the property going up for auction is to approach all of the taxing bodies, and negotiate a price. The County could then pull the property from the auction. Mr. Zirkle concurred, and indicated some Counties have actually pulled properties from auction, just to avoid someone inadvertently getting caught up in an environmental situation. Mr. Gruen indicated he has not formally approached the taxing bodies, but has had informal conversations with some of their representatives.

Mr. Zirkle indicated another option to consider is to pursue grant funding through the Brownfields Program. They provide both Assessment Grants and Cleanup Grants. The grants application submittal period will open up in the next few weeks. There is approximately a year between the application period and award. The grants are highly competitive, as there is no municipal match, and some communities have had to reapply for several years before receiving grants. Applicants have about a one-in-five chance of being awarded a grant. Mr. Zirkle indicated those that don't receive the award are given the opportunity to have a "debriefing" call, and find out what they need to beef up for the next application. Mr. Zirkle added that legislative support is also very important in the application process.

Discussion ensued regarding whether or not the WCP site is landlocked, as Mr. Don Marshall has purchased the front 12 acres. Mr. Marshall indicated the land is locked, as he owns from the road on the north to the railroad tracks. Mayor Barbee asked Mr. Marshall if he would be amenable to issuing an easement. Mr. Marshall indicated he would discuss it. Councilwoman Morgan commended that access is a real issue.

III. **Adjournment**

Mayor Barbee thanked Mr. Zirkle for coming and explaining the Phase I to Council, and added that the purpose of the meeting was just to get the Phase I information out into the open. Mayor Barbee added that if anyone is interested in obtaining the property, and has the wherewithal to remediate the environmental issues, please contact the City. ***Motion was made by Councilman Farley and seconded by Councilwoman Morgan, that the meeting be adjourned at 6:40 p.m. Roll call vote: AYES: Councilman Farley, Councilman Morton, Councilwoman Morgan, Councilman Baity, Mayor Barbee. NAYS: None. Motion carried.***

Bev Quinn, CMC
City Clerk