US EPA RECORDS CENTER REGION 5
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United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

SUPERFUND PROPERTY REUSE EVALUATION CHECKLIST FOR REPORTING THE SITEWIDE READY-FOR-ANTICIPATED USE GPRA MEASURE

Office of Superfund Remediation & Technology Innovation and Federal Facilities Restoration & Reuse Office

PART A – GENERAL SITE INFORMATION

1. Site Name **Joliet Army Ammunition Plant, LAP Area**	2. EPA ID **IL0210090049**
3. Site ID **054WOX00**	4. RPM **Tom Barounis**

5. Street Address: **29401 South Route 53**

6. City **Wilmington**	7. State **Illinois**	8. Zip Code **60481-9979**

9. Site Wide Ready-for-Reuse Determination Requirements (all must be met for the entire construction complete site)

- All cleanup goals in the Record(s) of Decision or other remedy decision document(s) have been achieved for any media that may affect current and reasonably anticipated future land uses, so that there are no unacceptable risks.
- All institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) have been put in place.

Institutional Control Name	**Date Implemented**	**Type of Control**	**Total Acres**
Land and Resource Management Plan (Prairie Plan) Amendment #1 – Establishment of Management Area 3 and Designation of Utility Corridors into MA2, USDA Forest Service Midewin National Tallgrass Prairie, Wilmington, Will County, Illinois.	June 26, 2008	Land Use Restriction - federal property management.	19,100
Restrictive Covenant recorded in the following documents at the Will County Recorder's Office: Document Number R000086264; Document Number 200304150086458; Document Number R2002045744: Document Number R2004025145; Document Number R2005064066.	 8/11/2000 3/15/2002 3/15/2002 2/13/2004 3/25/2005	Restrictive Covenant	3,000
Restrictive Covenant recorded in the following document at the Will County Recorder's Office: Document Number R002063838.	4/12/2002	Restrictive Covenant	455

PART B – SIGNATURE (Branch Chief or above should sign)	
NOTE: The outcome of this Property Reuse Evaluation does not have any legally binding effect and does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits of any party. EPA assumes no responsibility for reuse activities and/or any potential harm that might result from reuse activities. EPA retains any and all rights and authorities it has, including but not limited to legal, equitable, or administrative rights. EPA specifically retains any and all rights and authorities it has to conduct, direct, oversee, and/or require environmental response actions in connection with the site, including but not limited to instances when new or additional information has been discovered regarding the contamination or conditions at the site that indicates that the response and/or the conditions at the site are no longer protective of human health or the environment.	
10. Name **Thomas R. Short Jr.**	11. Title/Organization **Remedial Branch Chief #2** **Superfund Division, Region 5**
12. Signature Thomas Short	13. Date 9/21/11

EPA Form 9100-4 (9-2004)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

Date: **September 16, 2011**

From: ***Tom Barounis*, RPM**
Michael Berman, ORC Attorney

To: **Thomas R. Short Jr, Chief**
Remedial Response Branch #2

Subject: **Recommendation to Sign the Site Wide Ready for Anticipated Use Determination for the Joliet Army Ammunition Plant (Load-Assemble-Package Area and Manufacturing Area), Wilmington, Illinois**

The Joliet Army Ammunition Plant (JOAAP), consisting of two NPL sites (Load-Assemble-Package [LAP] Area and Manufacturing [MFG] Area), Wilmington, Illinois, achieved Construction Completion on September 29, 2008, based on the remedy selected in the Records of Decision of October 1998 and June 2004. All cleanup goals that may affect current and reasonably anticipated future land uses have been achieved. Specifically, the cleanup goals that have been achieved are:

1. **Clean up contaminants to the site-specific and chemical-specific remediation goals (RGs);**
2. **Prevent human and environmental exposure to contamination at concentrations above the RGs;**
3. **Eliminate soil contamination as a continuing source of groundwater contamination;**
4. **Prevent migration of contaminants;**
5. **Actions will not leave behind any characteristically hazardous RCRA wastes, except those contained within the capped landfills of Soil Remediation Unit (SRU) 6.**

The major components of the selected remedy for the JOAAP sites include the following remedies selected for the Soils Operable Units (SRUs) and Groundwater Operable Units (GRUs):

- SRU1 – Excavation of soils and sediments contaminated with explosives above the RGs, confirmatory sampling, and treatment of the soil using a bioremediation process;
- SRU2 – Excavation and disposal of soil contaminated with metal concentrations above the RGs, confirmatory sampling and final disposal;
- SRU3 – Excavation and disposal of soil contaminated with explosives and metals above the RGs, confirmation sampling and final disposal;

- SRU4 – Excavation of soil contaminated with PCBs above the RGs, confirmatory sampling, and final disposal;
- SRU5 – Excavation of organics-contaminated soil above the RGs, confirmatory sampling, and disposal at a permitted RCRA Subtitle D landfill;
- SRU6 – Cap three landfills (L3, M11, M13) and excavate and dispose of the materials in the other three landfills (L4, M1, M9);
- SRU7 – Excavation and recycling or disposal of raw sulfur off-site;
- Soil NFA – No further action at 28 sites and two subareas;
- GRU1 – Limited action to address explosives in groundwater in the LAP area, including: a) establishment of groundwater management zones (GMZs)(See Figure 4); b) source removal (as described in the relevant SRU sections); c) site inspections; d) groundwater and surface monitoring; e) natural attenuation; and f) contingency plan implementation, if necessary;
- GRU2 – Limited action to address explosives and other contaminants in groundwater in the MFG Area, including: a) establishment of GMZs; b) source removal (as described in the relevant SRU sections); c) institutional controls – deed restrictions on groundwater; d) site inspections; e) groundwater monitoring; f) natural attenuation; and g) contingency plan implementation, if necessary;
- GRU3 – Limited action to address volatile organic compounds (VOCs) in groundwater in the MFG Area, including: a) establishment of GMZs; b) source removal (as described in the relevant SRU sections); c) institutional controls – deed restrictions on groundwater use; d) site inspections; e) groundwater monitoring; f) natural attenuation; and g) contingency plan implementation, if necessary;
- Groundwater NFA – No further action at 41 sites and three subareas;

- Institutional Controls in the form of deed restrictions on land and soils;

- Institutional Controls in the form of deed restrictions on groundwater use;

- Institutional Controls in the form of: a) notifications to the Recorder's office; b) notifications to land owners of access easements and restricted easements; c) notifications to Will County of restricted water use; d) review authority of the USEPA and IEPA; e) continuing responsibilities of the Army; f) non-detrimental use of the property by the Army; g) retention of easement by the Army; h) enforcement of restrictions by the Army.

Cleanup goals for soil and groundwater allow for and were based on:

__ unlimited use unrestricted exposure
__ residential use
X commercial **X** industrial use
__ limited commercial or industrial (containment)
X recreational use

Institutional Controls have been reviewed and evaluated and it has been determined that all required ICs that can be instituted at this time[1] are in place and to the best of our knowledge are effective.[2]

Since the U.S. Department of Agriculture is a federal agency, transfers of property from the Army are not covered by a deed. Instead the controls on the properties are covered under other documents, including the DOA's Prairie Plan and the Land and Resource Management Plan (Prairie Plan) Amendment #1 – Establishment of Management Area 3 and Designation of Utility Corridors into MA 2, which provides for applying land use restrictions through prairie-wide direction and the creation of a tracking mechanism for remediated areas of long-term concern (see Attachment 9 to the Second Five-Year Review Report).

In addition, the Army has retained control of a number of parcels and therefore these parcels are not covered by institutional controls, but by the Army's responsibilities under the Record of Decision and the Federal Facility Agreement Under CERCLA Section 120, Joliet Army Ammunition Plant (JOAAP FFA, June 1989). If and when these parcels are transferred to the DOA, then they will be covered by the DOA's documents. If they are transferred to nonfederal entities, the transfer process would include institutional controls, such as deed restrictions.

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[1] Certain parcels are being retained by the Army, but will eventually be transferred either to the Department of Agriculture and be brought under the DOA's Prairie Plan or transferred, with the appropriate institutional controls, to the industrial park.

[2] The Army is currently in the process of completing and implementing, with contractor support, a plan to ensure that the use restrictions on transferred Joliet properties are being maintained. This work is scheduled to be completed by March 2012.

Physical Area – Summary Table

Map of Media, Engineered Controls, & Areas that Do Not Support UU/UE Based on Current Conditions (attached).	IC Objective in Decision Document	Physical Area covered by Implemented Institutional Control
Property transferred to USDA Forest Service. Soil – The area of restricted land use indentified in Figure A9-1. Groundwater – The areas designated as Groundwater Management Zones (GMZs) identified in Figure A9-1. Remedy Components -	Soil: - Restrict exposure to soils which have not been remediated to levels that allow for unlimited access or unrestricted use; - Prevent development for residential, schools, childcare, playgrounds, or industrial uses; - No camping; - Restrict soil movement. Groundwater: - Prohibit installation of groundwater production wells, or any other activities that could cause migration of contaminated groundwater, within the boundaries of groundwater management zones (GMZ) defined by the U.S. Army. Remedy Components: - Maintain the integrity of groundwater or monitoring wells; - Fulfill the annual tracking and reporting requirements to the U.S. Army, USEPA, and Illinois EPA.	See attached map (Figure A9-1).
Property transferred to Joliet Arsenal Redevelopment Authority, State of Illinois: Soil – The area of land restricted to commercial/industrial cleanup use identified in Figure A9-2. Groundwater – The areas designated as Groundwater Management Zones and Groundwater Restriction Areas identified in Figure A9-2. Remedy Components -	Soil: - Prohibit residential, educational, child or adult care use. Groundwater : - Prohibit potable water use of contaminated water; - Prohibit activities that could influence flow or damage confining layers; -Require proper management/disposal of contaminated water; Prohibit groundwater supply wells and any use of	See attached map (Figure A9-2).

	contaminated groundwater in the Groundwater Restricted Areas. Remedy Components: - Prohibit interference with remedy components – do not damage monitor wells; - Permit unrestricted Army access for remediation, monitoring, operation and maintenance; -No landfills, quarries, concrete or asphalt batching or incineration.	
Property transferred to Will County: Soil – The area of land restricted to use as a landfill, per the 4/12/2002 Quitclaim Deed from USA to Will County identified in Figure A9-2. Groundwater – The area of land restricted to use as a landfill, per the 4/12/2002 Quitclaim Deed from USA to Will County identified in Figure A9-2. Remedy Components -	Soil: - Prohibit residential, educational, child or adult care use. Groundwater: - Notify the Will County Health Department, Environmental Division that: • the groundwater contained in the glacial till and shallow bedrock does not meet Class II (industrial) water quality standards for all GMZs except Site M3; • the groundwater contained in the glacial till and shallow bedrock below Site M3 does not meet Class I (potable) water quality standards; • the water supply wells placed anywhere within the JOAAP should be tested at least for the contaminants of concern at JOAAP before use for whatever purpose.[3]	See attached map (Figure A9-2).

The second Five-Year Review for the JOAAP LAP and MFG Sites was completed on September 28, 2009 for the JOAAP LAP and MFG sites. The remedy was found to be protective of human

[3] The Will County deed states that the Property may only be developed and utilized for landfill purposes and that the property is not to be developed or used for residential purposes, the property having been remediated only for use as a landfill.

health and the environment in the short-term. In order for the remedy to be considered protective in the long-term, several issues related to the documentation and implementation of institutional controls require resolution. The outstanding issues requiring resolution are documented in USEPA comments forwarded to the Army with USEPA's Five Year Review concurrence letter. Per USEPA's concurrence letter, the U.S. Army is required to develop a plan and schedule for the resolution of the outstanding IC issues. The Army provided responses to EPA's comments on June 15, 2011 (See Attachment 1). Based upon the Army's responses, the majority of EPA's comments were appropriately addressed, although several outstanding questions remained. Following are these subject outstanding questions and the answers to those questions.

Question 1: What institutional controls does the Army maintain on those portions of the JOAAP Sites which have not been transferred, and how does the Army document, implement, maintain and enforce them?

The maintenance of ICs on parcels that have not been transferred remains the responsibility of the Army. Because JOAAP is not an active military installation, it does not operate under the provisions of a Base Management Plan. Responsibility for maintaining ICs on those un-transferred portions of the property resides with the Commander's Representative/Site Manager and consists of access restrictions and site security. Currently a total of 319 acres remain untransferred.

Question 2: Does the deed to Will County for 455 acres for the construction of a municipal land fill contain the appropriate restrictions on residential use of the property and on the extraction of groundwater?

The Will County deed has been reviewed and it has been determined that the appropriate restrictions are in the deed.[4]

Question 3: Does the Will County deed reflect all of the IC objectives identified in the 2009 Five Year Review?

Comparison of the provisions of the Will County deed to the requirements elaborated in Table 10 of the 2009 Five Year Review confirms that the deed adequately reflects all of the requisite IC objectives.

Question 4: How does and how will the Army monitor, maintain and enforce the ICs for which it is responsible? A number of EPA's comments had to do with these issues. In general, Army's responses to those comments referred to a to-be-developed plan intended to address the issues raised. According to the proposed Plan of Action to Enhance Compliance with Land Use Restrictions- Joliet AAP, IL, the JOAAP will begin an effort to more closely monitor the

[4] The ROD requires that groundwater above the Maquoketa shale not be used for potable water supply. The Will County deed provides that the groundwater above the Maquoketa shale not be used for human consumption unless the requirements of the Safe Drinking Water Act and applicable State law are met. Also see Fotnote 3.

compliance of present property owners with the restrictions that were issued as part of the conveyance. To accomplish this, a contract has been awarded that involves the following steps:

1. *Compile an accurate list of property owners and the parcel(s) that they control;*
2. *Prepare and distribute a letter/questionnaire to each property owner that is specific to the restrictions applicable to their property. The letter will remind them of the deed restrictions and request voluntary response, addressing the status of each restriction;*
3. *Compile the responses and prepare a summary statement;*
4. *Conduct visual inspection of 100% of non-responding owners and 15% of responding properties to assure that compliance is accurately reported;*
5. *Prepare graphical representation of current owners and applicable restrictions produced in Army-acceptable format and provide pdf for general viewing;*
6. *Instances of non-compliance will be forwarded to Army Legal for resolution.*

A kickoff meeting among the Army, their IC contractor, USEPA and IEPA was held on July 26, 2011 for the Site Wide Deed Restriction Implementation Plan, Joliet Army Ammunition Plant, Wilmington, Will County, Illinois. The Army's schedule calls for the completion of the Plan by March 2012 (Attachment 3).

We have also reviewed the current Human Exposure Environmental Indicator and have determined that Current Human Exposures are Under Control and a Protective Remedy is in Place.

Based on the above information and all documents reviewed for these sites, we find that both sites meet the following requirements:

- All cleanup goals in the ROD or other decision document have been achieved for any media that may affect current and reasonably anticipated future land uses, so that there are no unacceptable risks.
- All institutional controls required in the ROD are in place or will be in place when the remaining parcels are transferred from the Army.

Based on the information presented below, we are recommending that you sign the attached Site-wide Ready for Anticipated Use Determination Checklists <u>for the Joliet Army Ammunition Plant Load-Assemble-Package (LAP) Area Site and the Joliet Army Ammunition Plant Manufacturing Area (MFG) Site</u>.

Cleanup Goals	- To prevent risk to humans or the environment through contact with landfill contaminants. - To prevent risk to humans or environmental receptors from contaminants in groundwater.
Construction Complete Date	September 29, 2008
Five Year Review Date	September 28, 2014
NPL Deletion Date	
Existing Land Use for Entire Site /Status of Use	Industrial/commercial, municipal landfill, National Tallgrass Prairie (USDA) and National Cemetery.
Anticipated Future Land Use	Industrial/commercial, municipal landfill, National Tallgrass Prairie (USDA) and National Cemetery.
Media, Remedy Components & Areas that do not support UU/UE Based on Current Conditions	Soils, landfills and groundwater within the established groundwater management zone (GMZ).
Acres Associated with Institutional Control	23,702 acres
Total Site Acres	23,702 acres (original JOAAP)
Title of Institutional Control Instrument	See attached list (Attachment 2).
IC Implemention Date	April 12, 2002 through June 26, 2008.
Documents Reviewed for SWRAU Determination	- Record of Decision, Soil and Groundwater Operable Units, Manufacturing and Load-Assemble-Package Areas, Joliet Army Ammunition Plant, Wilmington, Illinois, October 1998; - Record of Decision for the Soil Operable Unit Interim Sites, Joliet Army Ammunition Plant, Wilmington, Illinois, June 2004; - Superfund Preliminary Closeout Report, Joliet Army Ammunition Plant, Load-Assemble-Package Area and Manufacturing Area, Wilmington, Illinois, September 29, 2008; - Second Five-Year Review Report, Soils Operable Unit and Groundwater Operable Unit, Joliet Army Ammunition Plant, Wilmington, Illinois, September 28, 2009.

Attachment 1

DEPARTMENT OF THE ARMY
JOLIET ARMY AMMUNITION PLANT
29401 S ROUTE 53
WILMINGTON IL 60481-8879

REPLY TO
ATTENTION OF
Site Manager

15 June 2011

Mr. Tom Barounis
US Environmental Protection Agency
ATTN: SRF 5J
77 West Jackson Boulevard
Chicago, IL 60604-3590

SUBJECT: Response to Comments, JOAAP 5-year Review, Comments on Institutional Controls
Joliet Army Ammunition Plant, Wilmington, Illinois.

1. Forwarded for your information, is the subject report.

2. The point of contact is the undersigned at 815/423-2870.

Sincerely,

Arthur M. Holz
Site Manager

CF:
ILEPA (Mr. Haggitt)
CELRL-DL-B (Mr. Saffran)
JOAAP RAB (Mr. Bowden)
SFIM-AEC-CDP (Ms. Paugh)

Responses to:
USEPA Comments on the final Second Five Year Review Report for the Soils Operable Unit and the Groundwater Operable Unit, Joliet army Ammunition Plant, Wilmington, Illinois, August 2009.

I. Soil Operable Unit

1. Section 4.2.1.12, Site M7, par. 2, p. 73 – The text does not state whether the property was transferred, or whether deed restrictions or land use restrictions have been implemented.

Response – The property was transferred in May 2010 with deed restrictions that are in place. It was not yet transferred at the time the report was finalized.

2. Section 4.2.2.4., Site L11 – It is not clear from the text whether L11 was transferred to the industrial park.

Response – the site was transferred in August 2003. Table 11, page 100 lists all parcels and their ownership status as of the date of the review.

3. Section 4.2.2.5, Site L23A, par. 5, p. 79 - Land use restrictions are not in place until property is transferred.

Response – That is true. The statement is only to assure that future restrictions are a known requirement and shall be implemented.

4. Section 4.2.2.6, Site M4 – See comment 3.
5. Section 4.2.2.8, Site M12 – See Comment 3.
6. Section 4.2.6.2, Site L4 – See Comment 3.

Response – That is true. The statement is only to assure that future restrictions are a known requirement and shall be implemented.

7. Section 4.2.6.3, Site M1 – The text states that land use restrictions will be developed. Add this information to the Table listing work that needs to be done.

Response – As the property is not yet transferred and restrictions are not necessary until it does, the absence of them does not constitute a deficiency, and will not be posted as one.

8. Section 4.2.6.5, Site M11 – See comment 7.
9. Section 4.2.6.6, Site M13 – See comment 7.

Response – As the property is not yet transferred and restrictions are not necessary until it does, the absence of them does not constitute a deficiency, and will not be posted as one.

10. Table 11, pg. 100 – Note that the certification of compliance with institutional controls or equivalent needs to be submitted annually.

Response – several comments were submitted that pertain to the issue of annual deed restriction compliance for transferred lands. A separate response at the end of this report will address the direction and status of army actions to address the matter.

11. Section 4.3., System Operation/ Operations and Maintenance – Note that there are maintenance costs for institutional controls; inspections and annual reports, for example.

Response – these costs are realized. They are provided for, inseparably, in the "PBC" contract.

12. Section 4.4.2.1., Adherence to ICs – Property Conveyed to JADA, par. 2 - Add comments concerning the CenterPoint annual report to the table listing what issues need to be addressed (e.g., what areas do the annual reports cover? What is the status of parcels CenterPoint has conveyed?).

Response – Section 4.4.4 and 4.4.5 were added to address these concerns.

13. Section 3.3.2.1, adherence to ICs – Property Conveyed to JADA, par 3. – Add comments concerning island City development industrial park to the table listing what issues need to be addressed. None of the annual reports have been filed.

Response - Section 4.4.4 and 4.4.5 were added to address these concerns.

14. Section 4.4.3, ICs for Land Transferred to Will County, par. 3 and Table 15 – There is no requirement for an annual report in the Will county Deed. This needs to be stated in the table listing issues that need to be addressed. Also the Will county deed does not have all of the residential limits stated in Table 15. In fact, the Deed states that the water can be used for drinking water if it meets the SDWA requirements and state law. The ROD does not allow this exception. The ROD also has other residential and groundwater limitations that are in Table 15, but not the Deed. Compare the Deed to the Table and correct the Table. IF THE Deed does not list all the restrictions, then this needs to be addressed.

Response – see section at the end of this report covering this and other issues. Further, the WCLF property is not within any Groundwater Management Zone or Groundwater Restriction Area, hence it was agreed, among the FFA parties, at the time the deed was drafted, that the language was sufficient. Table 15 contains material not found in the Deed, nor should it be. Within the ROD, Section 9.2.1.2 address Groundwater ICs, but does not cover WCLF property. Also Section 9.3.3 addresses notification to the Will county Health Department regarding use of groundwater and the third bullet does not prohibit use.

15. Section 4.4.4, Summary of ICs for Soil Sites, par1, sentence 1 - This sentence is too broadly stated. See Comment 14.

Response – no change made.

16. Section 4.4.4, Summary of ICs for Soil Sites, par. 3 – The text notes that no written notice was provided to the Army from CenterPoint with respect to the assignment of the duties and obligations imposed by the MOA from CenterPoint to subsequent property owners, and no written concurrence has been provided by the Army and that no annual reports have been received from JADA concerning JADA-owned property in the Mfg. area. These issues need to be addressed and should be listed in the table concerning items that need to be carried out.

Response – Prior notice of re-conveyance as directed by MOA was not received, however, subsequently, a full set of deeds was attained and the language from the original ICs was, in fact, included, hence current owners are bound to the same terms. The JADA-owned property is conveyed. These issues will be addressed by the new plan, described later in this report.

17. Section 4.4.5, Recommendations to Enhance Implementations of ICs, par. 4 – Annual reports and written notice and concurrence have not been provided by JADA for property owned in the LAP area. See Comment 16.

Response – to be addressed by new plan.

18. Table 16 – Under current site status it does not say that the recommendations from the last 5 year review were addressed. The table needs to state that the specific recommendations were carried out (e.g. padlock placed on gate).

Response – These items have been incorporated in to our existing LTM contract and the progress items will be tracked in Annual reports.

19. Section 7.1.1.3, p. 124, par. 4 – The text is unclear. It states that the gate was not locked during the 2008 inspection, and then says that areas are gated and locked. If the unlocked gate has been addressed, please indicate that.

Response – M6, now transferred, was not open to the public. Access to the site was controlled at the perimeter by a berm on the east, ditch on the west and barriers north and south. The excavation fences that are discussed were erected during RA activities, when two sites could not be completed before winter set in. They are no longer required, hence no lock is necessary.

20. Section 7.4, Technical Assessment Summary, p. 131 – The text states that there is no other information calling into question the protectiveness of the remedies. However, at least some IC issues, as noted in the above comments, need to be addressed.

Response – agreed; Army is crafting a new plan to better track transferred land compliance.

21. Table 17, p. 132 - As discussed in the above comments, there are additional issues that need to be addressed in the Table. See Comments 7-9, and 12-16. Also compare this table to similar Table for Groundwater operable Unit, (see Comment 31).

Response – new plan will correct all of these concerns

22. Table 18, p. 135 – As noted in the above comments, additional issues need to be addressed in the Table. See Comments 7-9 and 12-16. Also compare this table to the similar table for the GOU (see Comment 32). In additional, require an institutional control plan to address the outstanding IC issues.

Response – new plan will correct all of these concerns

23. Section 4.4, Institutional Controls, p. 38, par. 4, second sentence – Please edit. The remaining parcels to be transferred are not described in previous deeds. When the remaining parcels are transferred to an entity that is not the federal government a new

deed describing the parcels being transferred and the deed restrictions being imposed will need to be executed and recorded.

Response – Agreed. The intent was to show that ICs previously written will likely be used, in large part, in future deeds.

24. Section 4.4.3, ICs for contaminated Areas Transferred to Will County, p. 44, last par. – The Will County deed does not prohibit the use of groundwater within the glacial drift and Silurian dolomite for human consumption. It provides an exception saying it can be used if the water complies with the SDWA and applicable state law. This exception was not contemplated by the ROD and needs to be addressed in an institutional control plan.

Response - the WCLF property is not within any Groundwater Management Zone or Groundwater Restriction Area, hence it was agreed, among the FFA parties, at the time the deed was drafted, that the language was sufficient. Within the ROD, Section 9.2.1.2 address Groundwater ICs, but does not cover WCLF property. Also Section 9.3.3 addresses notification to the Will County Health Department regarding use of groundwater and the third bullet does not prohibit use.

Further, while commenting of the Finding of Suitability to Transfer (FOST), during its preparation, the USEPA commented; "...modify the sentence to state the groundwater does not pose a threat to occupants provided the groundwater is not used as a residential drinking water source.", also; "Based on the remedial investigation data, it is unclear why restrictions on the use of groundwater in this parcel are being proposed...Furthermore, the 1998 (ROD) does not require deed restrictions to limit the use of groundwater on the Will County Parcel". Illinois EPA made comments of a similar nature.

25. Table 10, p. 45 – Edit the Table to reflect the Will County deed. The Will County deed does not have all the IC objectives listed in the Table. The first column of the table actually refers to the superfund Sites as a whole and not just to the parcels deed to will County. If the Will county deed does not reflect all of the IC objectives, then this issue will need to be addressed in an institutional control plan.

Response –The table will be revised to reflect accurate restrictions.

26. Section 4.4.4, Summary of ICs for GOU Sites - A robust set of ICs has not been designed and implemented for all transferred properties. See Comments 24 and 25 concerning Will County. Also, no annual reports are required for Will County. In addition, the annual reports for other transferred parcels have not been filed or provide inadequate information to judge whether the ICs are being complied with. In addition, the Army is apparently not being notified of transfers of property from, for example, CenterPoint to other entities and concerning the Island City Development.

Response – As to the Will County property, see Responses 24 and 25 above. As to other transferred parcels, refer to new plan described later in this report.

27. Sections 4.4.5, Recommendations to Enhance Implementation of ICs –This section contains additional recommendations which need to be listed as items that need to be carried out.

Response – The section will be revised.

28. Section 7.3.2.2, Site M5, Question B: Are the exposure assumptions, toxicity date, cleanup levels, and remedial action objectives used at the time of the remedy still valid? – It is not clear whether Site M5 has been transferred from the Army and, if so, who is responsible for the ICs.

Response – The status of the Site was previously established in Section 3.2.2.2 and Table 11; the M5 Site is transferred and part of the CenterPoint Intermodal Park.

29. Section 7.3.5.2, Site M8, Question B: (question as above) – see Comment 28.

Response – The status of the Site was previously established in Section 3.2.2.5 and Table 11; the M8 Site is transferred and part of the CenterPoint Intermodal Park

30. Section 7.4.2.2, Site M10, Question B (question as above) – See Comment 28.

Response – The status of the Site was previously established in Section 3.2.3.2 and Table 11; the M10 Site is transferred and part of the CenterPoint Intermodal Park and the Midewin Tallgrass Prairie

31. Table 17, Issues – Add the other issues raised by the first five year review, including, lack of annual reports, inadequate annual reports, lack of notification of transfer of properties (this would also include the need to determine if transferee is notified of deed restrictions and has responsibilities concerning annual reports and deed restriction) and concerns about the will County Landfill deed restriction. See Section 4.4.5, which discusses some of these issues and makes recommendations. Also see comments 21 and 24-27.

Response – new plan will correct all of these concerns

32. Table 18, Recommendations and Follow-up Actions – Address all of the IC issues and require an institutional control plan to address outstanding issues – see comment 31. Also see Section 10.1, par 3, which discusses the need for evaluation activities, comment 22 and comments 24-27.

Response – new plan will correct all of these concerns

33. Please note that in attachment 12 of the GOU there are apparently 5 different deeds from the Army to JADA, but in the SOU attachment there are only 3 different deeds from the Army to JADA. Table 9, page 43 (GOU) only lists 3 different deed for transfer of property to JADA. Please address this inconsistency.

Response – both reports contain 4 deeds to JADA and one to Will County. The GOU also contain a duplicate copy of one JADA deed. The deed that was recorded as both R2003086458 and R2002045744 (217.657 acres) will be added to the Table.

Plan of Action to Enhance Compliance with Land Use Restrictions- Joliet AAP, IL

The JOAAP will begin an effort to more closely monitor the compliance of present property owners with the restrictions that were issued as part of the conveyance. To accomplish this, a contract is awarded, and will begin Summer 2011, that involvers the following steps:

1. Compile an accurate list of property owners and the parcel(s) that they control.
2. Prepare and distribute a letter/questionnaire to each property owner that is specific to the restrictions applicable to their property. The letter will remind them of the deed restrictions and request voluntary response, addressing the status of each restriction.
3. Compile the responses and prepare a summary statement.
4. Conduct visual inspection of 100% of non-responding owners and 15% of responding properties to assure that compliance is accurately reported.
5. Prepare graphical representation of current owners, and applicable restrictions produced in Army-acceptable format and provide pdf for general viewing.

Instances of non-compliance will be forwarded to Army Legal for resolution.

ATTACHMENT 2

Joliet Army Ammunition Plant – Institutional Control Instruments

Institutional Controls Summary for Land Transferred to the USDA Forest Service

- Land and Resource Management Plan (Prairie Plan) Amendment #1 – Establishment of Management Area 3 and Designation of Utility Corridors into MA2, USDA Forest Service Midewin National Tallgrass Prairie, Wilmington, Will County, Illinois, June 26, 2008.

Institutional Controls Summary for Land Transferred to Joliet Arsenal Redevelopment Authority (JADA)

- Restrictive Covenant recorded in the following documents at the Will County Recorder's Office:
    - Document Number R2000086264, 8/11/2000;
    - Document Number 200304150086458, 3/15/2002;
    - Document Number R2002045744, 3/15/2002;
    - Document Number R2004025145, 2/13/2004;
    - Document Number R2005064066, 4/19/2005.

Institutional Controls Summary for Land Transferred to Will County

- Restrictive Covenant recorded in the following document at the Will County Recorder's Office: Document Number R2002063838, 4/12/2002.

JOAAP SWDRIP Schedule

	Start	Finish
Notice to Proceed		**5/27/2011**
Task 1 - Project Plan Implementation	**27-May-11**	**1-Aug-11**
Draft PMP/CQCP/AAPP	*27-May-11*	*27-Jun-11*
Kick-off Meeting	*25-Jul-11*	*26-Jul-11*
Final PMP/CQCP/AAPP	*27-Jul-11*	*2-Aug-11*
Task 2 - Implement Plan	**27-May-11**	**16-Mar-12**
2.1 Compile list of property owners	**27-May-11**	**26-Jul-11**
2.2 Prepare & Distribute Letter/ Questionnaire	**26-Jul-11**	**4-Oct-11**
Prepare Draft Letter/Questionnaires	*26-Jul-11*	*24-Aug-11*
Submit Draft Letter/Questionnaires to Army	*24-Aug-11*	*24-Aug-11*
Prepare Final Letters/Questionnaires	*14-Sep-11*	*27-Sep-11*
Mail Letters/Questionnaires	*4-Oct-11*	*4-Oct-11*
2.3 Compile Statements of Compliance	**4-Oct-11**	**8-Nov-11**
2.4 Notification of Compliance Outcome	**8-Nov-11**	**6-Dec-11**
Draft Notification to Army	*8-Nov-11*	*22-Nov-11*
2.5 Implement Annual Visual Inspection	**6-Dec-11**	**16-Mar-12**
Request ROEs	*6-Dec-11*	*3-Feb-12*
Conduct Inspections	*6-Feb-12*	*10-Feb-12*
Draft Annual Inspection Plan	*10-Feb-12*	*24-Feb-12*
Submit Final Annual Inspection Plan / Compliance Report	*9-Mar-12*	*16-Mar-12*
Task 3 - Develop GIS	**27-May-11**	**25-May-12**
Prepare GIS and Database	*27-May-11*	*26-Jul-11*
Maintain GIS and Database	*26-Jul-11*	*25-May-12*
Task 4 - Project Management	**27-May-11**	**25-May-12**

Attachment 3

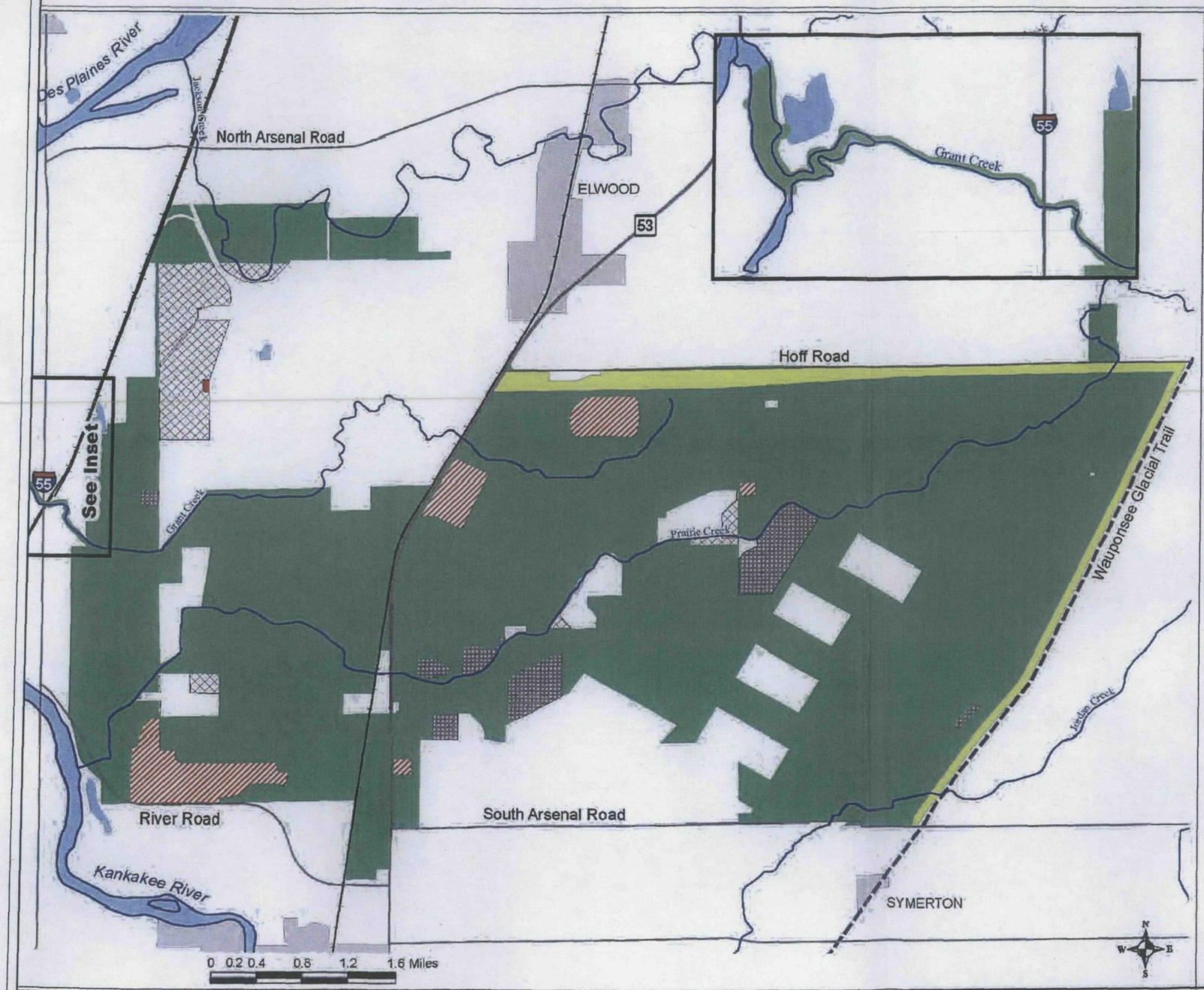

Figure 1

Midewin National Tallgrass Prairie

Management Areas
Amendment 1

LEGEND

- Public Roads

Management Area 1
- Restoration

Management Area 2
- Utility Corridor
- Administrative and Developed Rec. Sites

Management Area 3
- Groundwater Management Zone (GMZ)
- Soil Restricted Area (SRA)
- SRA/GMZ
- Wauponsee Trail
- Railroad
- Municipality

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Midewin National Tallgrass Prairie
30239 South State Route 53
Wilmington, Illinois 60481
(815) 423-6370

Map From: USDA Forest Service, Land and Resource Management Plan (Prairie Plan) Amendment #1 - Midewin National Tallgrass Prairie, Wilmington, Will County, Illinois(June 2008)

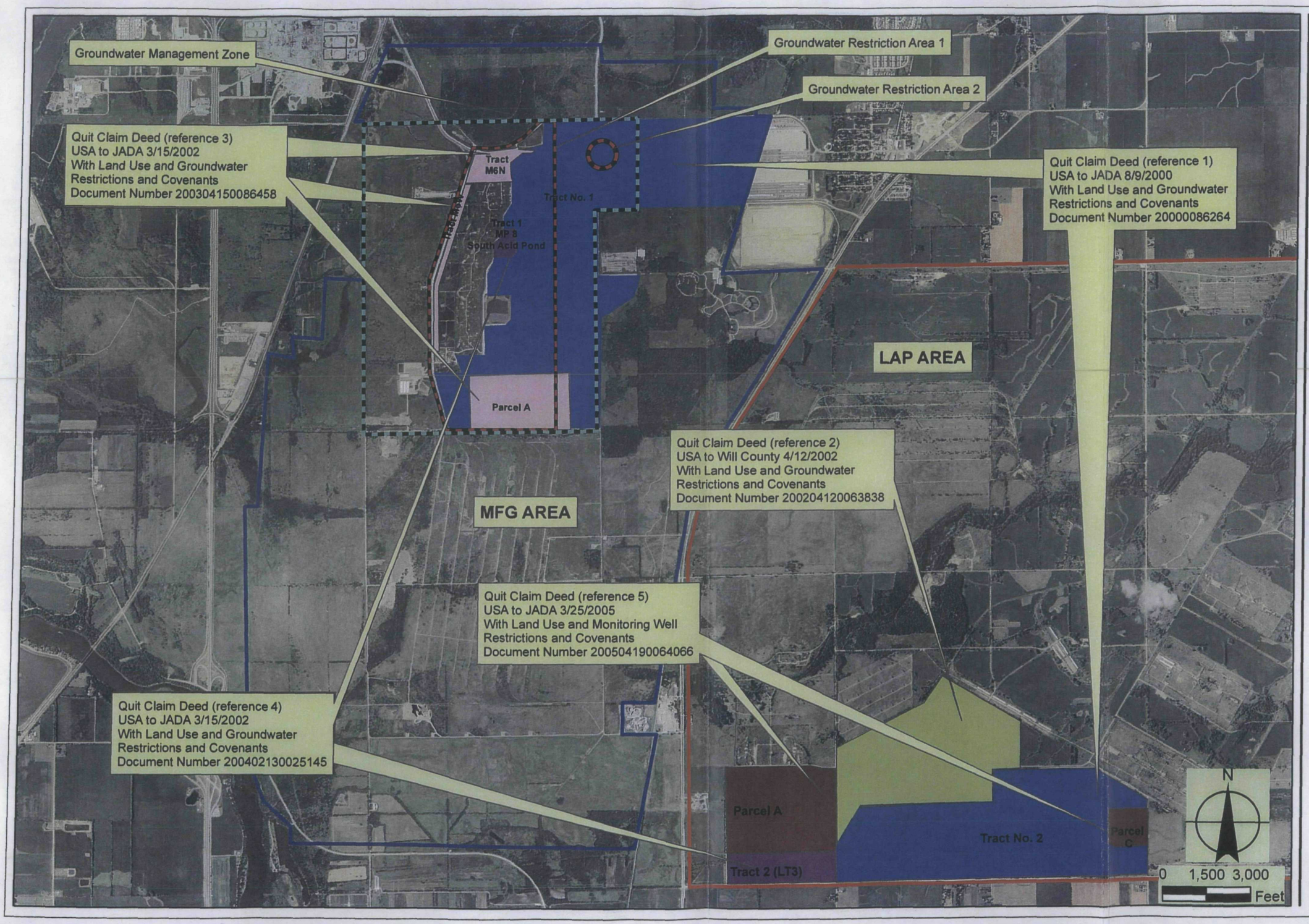
Revision	Date	By	Description

LOCATION PLAN SHOWING LAND USE RESTRICTIONS ON PROPERTY TRANSFERED TO USDA FOREST SERVICE

SECOND FIVE-YEAR REVIEW REPORT
SOIL OPERABLE UNIT
JOLIET ARMY AMMUNITION PLANT
WILMINGTON, WILL COUNTY, ILLINOIS

FIGURE: A9-1

AEROSTAR ENVIRONMENTAL SERVICES, INC.



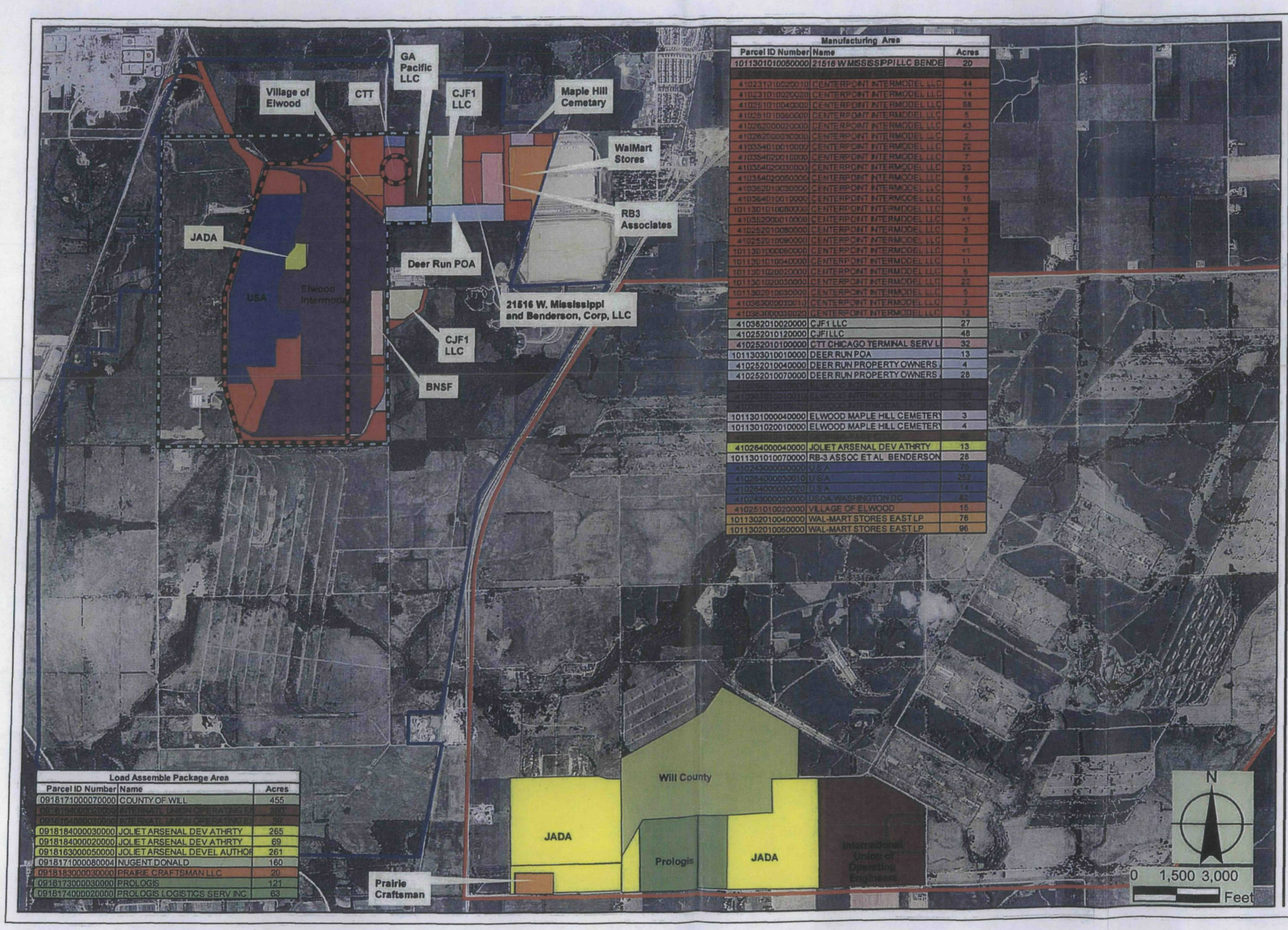
Revision	Date	By	Description

LOCATION PLAN SHOWING INITIAL FEDERAL TO STATE and COUNTY PROPERTY TRANSFERS WITH LAND USE RESTRICTIONS

SECOND FIVE-YEAR REVIEW REPORT
SOIL OPERABLE UNIT
JOLIET ARMY AMMUNITION PLANT
WILMINGTON, WILL COUNTY, ILLINOIS

FIGURE: A9-2

AEROSTAR ENVIRONMENTAL SERVICES, INC



Manufacturing Area

Parcel ID Number	Name	Acres
1011301010050000	21516 W MISSISSIPPI LLC BENDE	20
410231010220010	CENTERPOINT INTERMODEL LLC	44
410231010220030	CENTERPOINT INTERMODEL LLC	14
410251010040000	CENTERPOINT INTERMODEL LLC	88
410251010060000	CENTERPOINT INTERMODEL LLC	5
410262000020000	CENTERPOINT INTERMODEL LLC	43
410262000030000	CENTERPOINT INTERMODEL LLC	2
410354010010000	CENTERPOINT INTERMODEL LLC	22
410354020010000	CENTERPOINT INTERMODEL LLC	7
410354020030000	CENTERPOINT INTERMODEL LLC	23
410354020050000	CENTERPOINT INTERMODEL LLC	6
410362010030000	CENTERPOINT INTERMODEL LLC	7
410364010010000	CENTERPOINT INTERMODEL LLC	16
1011301010060000	CENTERPOINT INTERMODEL LLC	9
410352000010000	CENTERPOINT INTERMODEL LLC	<1
410252010080000	CENTERPOINT INTERMODEL LLC	3
410252010090000	CENTERPOINT INTERMODEL LLC	6
1011301000060000	CENTERPOINT INTERMODEL LLC	<1
1011301010040000	CENTERPOINT INTERMODEL LLC	11
1011301020020000	CENTERPOINT INTERMODEL LLC	5
1011301020050000	CENTERPOINT INTERMODEL LLC	22
1011302010030000	CENTERPOINT INTERMODEL LLC	5
410363000030010	CENTERPOINT INTERMODEL LLC	3
410363000030020	CENTERPOINT INTERMODEL LLC	12
410362010020000	CJF1 LLC	27
410252010120000	CJF1 LLC	48
410252010100000	CTT CHICAGO TERMINAL SERV LL	32
1011303010010000	DEER RUN POA	13
410252010040000	DEER RUN PROPERTY OWNERS	4
410252010070000	DEER RUN PROPERTY OWNERS	28
1011301000040000	ELWOOD MAPLE HILL CEMETERY	3
1011301020010000	ELWOOD MAPLE HILL CEMETERY	4
410264000040000	JOLIET ARSENAL DEV ATHRTY	13
1011301010070000	RB-3 ASSOC ET AL BENDERSON	28
410243000030000	U S A	75
410264000030010	U S A	252
410264000030020	U S A	14
410243000020000	USOA WASHINGTON DC	82
410251010020000	VILLAGE OF ELWOOD	15
1011302010040000	WAL-MART STORES EAST LP	76
1011302010050000	WAL-MART STORES EAST LP	96

Load Assemble Package Area

Parcel ID Number	Name	Acres
0918171000070000	COUNTY OF WILL	455
0918184000020000	INTERNATL UNION OF OPERATING E	280
0918184000030000	JOLIET ARSENAL DEV ATHRTY	265
0918184000020000	JOLIET ARSENAL DEV ATHRTY	69
0918163000050000	JOLIET ARSENAL DEVEL AUTHOR	261
0918171000080004	NUGENT DONALD	160
0918183000030000	PRAIRE CRAFTSMAN LLC	20
0918173000030000	PROLOGIS	121
0918174000020000	PROLOGIS LOGISTICS SERV INC	63

Revision	Date	By	Description

LOCATION PLAN SHOWING PROPERTY OWNERSHIP IN DEED-RESTRICTED AREAS

SECOND FIVE-YEAR REVIEW REPORT
GROUNDWATER OPERABLE UNIT
JOLIET ARMY AMMUNITION PLANT
WILMINGTON, WILL COUNTY, ILLINOIS

FIGURE: A9-3

AEROSTAR ENVIRONMENTAL SERVICES, INC

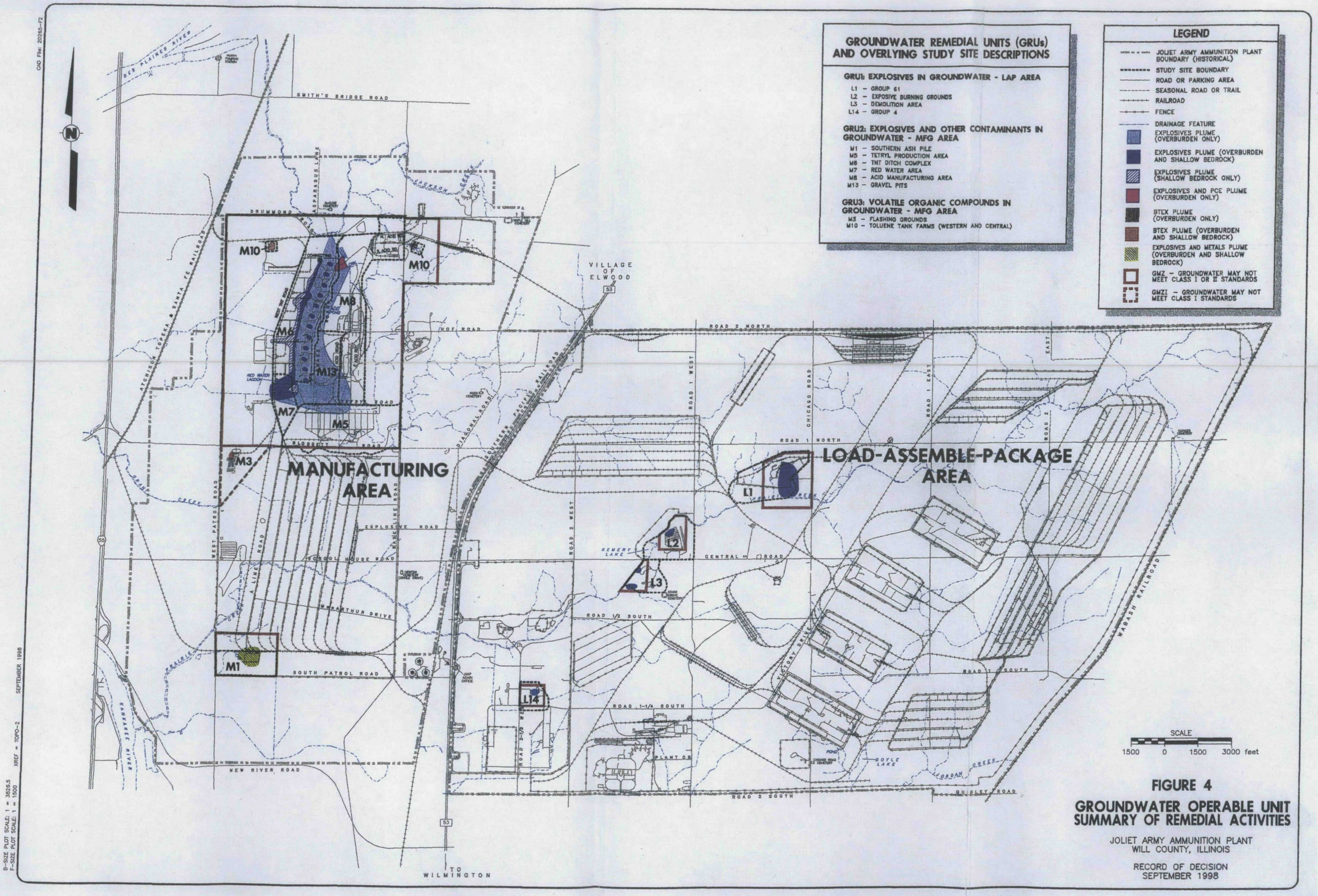


FIGURE 4

GROUNDWATER OPERABLE UNIT SUMMARY OF REMEDIAL ACTIVITIES

JOLIET ARMY AMMUNITION PLANT
WILL COUNTY, ILLINOIS

RECORD OF DECISION
SEPTEMBER 1998

CAD File: 20265-F2

B-SIZE PLOT SCALE: 1 = 3026.5
F-SIZE PLOT SCALE: 1 = 1500
XREF = TOPO-2
SEPTEMBER 1998