

N00210.AR.001229
NSTC GREAT LAKES, IL
5090.3a

NEWSPAPER ARTICLE "CRITICISM OF ARMY PROPOSAL TO LEAVE LAKE MICHIGAN" NS
GREAT LAKES IL
5/30/2006
CHICAGO TRIBUNE

249

Criticism of Army Proposal To Leave L Lake Michigan

HOME

HOW WAS LANDFILL 7 CREATED?

IS CONTAINMENT PROTECTIVE OF HUMAN HEALTH AND THE ENVIRONMENT?

HOW HAZARDOUS IS LANDFILL 7?

WHY IS BLUFF EROSION SUCH A THREAT?

WHAT IS THE CURRENT LEGAL STATUS OF THE CLEANUP?

WHO IS STEVEN POLLACK AND HOW CAN YOU HELP?

FORT SHERIDAN PHOTO GALLERY



Landfill 7 should be excavated and the contents placed in a suitable hazardous waste landfill away from Lake Michigan. Trying to contain the waste in the face of powerful erosional forces affecting the bluff within which it sits will not work. The decision making process used to assess potential remedies shows a serious breakdown in objectivity from having the Army be the lead agency in a cleanup of their own making.



Bl

The United States Army conducted operations at Fort Sheridan between 1887 and 1993. The geological setting of Fort Sheridan is tableland above a 70-foot high erodible bluff[1] in an area cut by deep ravines. The bluff overlooks Lake Michigan and the ravine creates an open face in the bluff at the beach's edge. Seven such ravines cut across the base, and, over the years, the Army filled them in with waste generated by operations. Apparently, a decision was made to place the most toxic waste in the Wells Ravine, now called Landfill 7. This can be inferred because Landfill 7 is the only site at Fort Sheridan that the US EPA considers to be "Superfund National Priorities List (NPL)-caliber." [2]



See of pr and High and intak

The Army never operated the landfill by using what could be considered environmentally sound methods.[3] No high-density plastic containment liner was placed between



the ravine and the waste. No IEPA permit was ever issued while the landfill was operating. The landfill never benefited from regulatory oversight until the State of Illinois commenced litigation in 1979. An operating permit was issued two months after the landfill ceased operations.[4] Landfill 7 might be better described as a dump rather than a landfill.[5] This distinction is important because it differentiates the practices of two eras and informs decision makers of the true nature of the facility.

The Army then applied for a closure permit and installed a leachate collection system and placed a clay cap over Landfill 7 in 1979. By 1982, the cap had failed due to ponding of water and the failure of the leachate collection system to collect any leachate. The Army claims the cap failure was caused by its failure to maintain the cap. Even if that is true, it still begs the question of cap permanence in this geologic environment, and what type of maintenance the Army could, or would have been able to do in this short time frame.

Fort Sheridan was slated to be closed in the first round of base closures in 1989. In the 17 years since then, the Army has been evaluating what remedy will be selected to permanently close Landfill 7. Because Landfill 7 had been dispensing 14,000 gallons of leachate per day into Lake Michigan, and the leachate was above state



Shore 1



Satellite

environmental effluent standards, CERCLA allowed the Army to implement an interim remedy prior to deciding on the permanent remedy. The Army chose to construct a \$16 million cap, even though less expensive means could have been used on a temporary basis.[6] Public comments for this interim action were almost universal in their opposition to the cap.[7] The majority of the comments focused on the failure of the Army to adequately characterize the type of waste in the landfill, the geologic instability of the ravine/bluff environment, and the proximity to Lake Michigan from which local drinking water is drawn.

The Army's responses to these comments were dismissive as either premature because this was only an interim solution or irrelevant because the cap remedy was assumed to be an effective method for containment of the waste. The Army never analyzed catastrophic failure due to shore and bluff erosion in the Remedial Investigation (RI), Risk Assessment (RA), Feasibility Study (FS), or response to public comments. Catastrophic bluff failure is a common Great Lakes issue, which has been analyzed extensively by the US Geologic Survey, Army Corps of Engineers, FEMA, and coastal municipalities.

After the interim containment remedy was selected on April 22, 1997, [8] the Army brought in Dr. Shabica to evaluate the shore protections as part of the design

phase. Amazingly, he informed the Army, on December 2, 1997 that the cap, as designed, would fail because of erosion. He then proceeded to sell the Army a system of his company's design.[9] So after an accumulated 8 years of CERCLA mandated study, the Army's refusal to assess the potential for catastrophic containment failure was proved wrong after the decision was already made.

The interim cap was completed in June of 2004, and the Army will at some point propose to make capping the final remedy, based on the same analysis that supported the interim action.

Erosion is an unforgiving force affecting the North Shore bluffs that cannot be stopped,[10] yet the Army went forward under the assumption that the containment engineering of Landfill 7 would succeed. The decision to cap Landfill 7 as the final remedy is arbitrary and capricious because it goes against the express and uncontradicted conclusions of the geological community.

The Army is the lead agency in determining what cleanup alternative should be selected. The conflict of interest in having the polluter and financially responsible party frame, analyze, and select the alternatives is clear. The analysis of alternatives found in the RI, RA, and FS was skewed in favor of the Army's preferred, and less expensive remedy.[11]

[1] Harmony with the Lake : Guide to Bluff Stabilization, Lake Michigan , IL. The Illinois Coastal Zone Management Program. Illinois Department of Transportation; Division of Water Resources.

[2] US EPA Region 5 Superfund Division, Fort Sheridan .
www.epa.gov/region5superfund/fed_fac/brac_sites/ff_brac_sheridan.htm.

[3] Argonne National Laboratory. *Enhanced Preliminary Assessment Report: Fort Sheridan* 1989 pg. 24.

[4] Id at 13, 24.

[5] Dumps and landfills are not entirely synonymous and a distinction should be made. A dump is defined as, "a site used to dispose of solid wastes without environmental controls." (Environmental Glossary. 4th ed. 1986. Edited by G. William Frick and Thomas F.P. Sullivan. Pub by Government Institutes, Inc., Rockville , MD pp.99). The term "landfill" is replacing "dump" due to the modernization of solid waste facilities. Landfill is defined as a "facility in which solid waste from municipal and/or industrial sources is disposed; sanitary landfills are those that are operated in accordance with environmental protection standards." (EPA Drinking Water Glossary: A Dictionary of Technical and Legal Terms Related to Drinking Water. USEPA Office of Water. June 1994 pp17).

[6] Walsh, Don and Liberman, Polina, *Fort Sheridan Landfills 6 & 7 Closure*. Department of Civil & Environmental Engineering, Northwestern University on behalf of Chicago Environmental Law Clinic August 2003 pg 26. Northwestern University study.

[7] Responsiveness Summary. Mayor Geraci of Highland Park , Mayor Sirotti of Highwood, the League of Women Voters of Lake Forest/Lake Bluff/Highland Park, the Lake Michigan Federation, and the Sierra Club all opposed the interim capping action.

[8] U.S. ACE, Decision Document (DD) for Interim Source Control Action for Landfills 6 and 7 at Fort Sheridan Illinois . April 22, 1997 .

[9] Shabica, Charles W. and Charles Shabica & Associates. Review of Erosion Control Features for Interim Remedial Action Landfills 6 & 7, Fort Sheridan , Illinois , 11/25/97 .

[10] City of Highland Park . Living in a Ravine and Lakefront Community." Water erosion is the most threatening force impacting ravine and lakefront property. It is a natural force which can be slowed, but cannot be stopped entirely."

[11] Walsh, Don and Liberman, Polina, *Fort Sheridan Landfills 6 & 7*

Closure. Department of Civil & Environmental Engineering,
Northwestern University on behalf of Chicago Environmental Law Clinic
August 2003 pg 26.

**If you want to know what you can do, stand up and being counted!
Let your legislators know your feelings. You don't have to be a
resident of Highland Park or Lake Forest to be concerned about this
landfill. Lake Michigan is a critical national fresh water resource.**

Send your congressman an e-mail! Send your senator an e-mail!

Send Governor Blagojevich e-mail! Send the president an e-mail!

by Steven Pollack
Concerned Citizen

You can become a part of the good fight by helping cover the cost of
advocacy in this matter. While not tax deductible, 100% of your
donation will go towards either litigation expenses or the cost of
publicizing this issue.

I want to make a \$25 donation



I want to make a \$50 donation



I want to make a \$99 donation



Please e-mail me to let me know your views!

This website launched 5/30/97
Last Updated 05/05/06