

CITY OF WARRENVILLE

MEMO

TO: Mayor, City Council, and City Administrator White
FROM: Ronald Mentzer, Director of Community and Economic Development^{RM}
Kristine Hocking, Senior Civil Engineer^{KH}
SUBJECT: OTRS #2 IEPA NFR RELATED RECOMMENDATIONS
DATE: January 5, 2023

Purpose

The purpose of this memo is to outline staff's recommendations for the City Council to:

1. Approve a limited area groundwater ordinance that prohibits the installation and use of potable water supply wells on Old Town Redevelopment Site #2 (OTRS #2) and the adjacent Voegtle property.
2. Direct staff and the City's environmental engineering consultant (Terracon) to pursue a focused no further remediation (NFR) letter for the OTRS #2 site that would cover the comprehensive list of contaminants of concern except iron.

Background

The subsurface investigations performed as part of the City's due diligence activities prior to purchasing OTRS #2 (the former Citgo property) identified iron concentrations in groundwater across the site at concentrations that exceed IEPA groundwater ingestion criteria. Since acquiring OTRS #2, Terracon has performed a detailed iron background study, multiple additional rounds of groundwater sampling on the OTRS #2 site and the adjacent Voegtle property, and extensive modeling in an effort to determine if iron concentrations in the groundwater on and adjacent to the OTRS #2 site satisfy applicable IEPA groundwater ingestion and surface water criteria. Unfortunately, these efforts have been unsuccessful.

Terracon has prepared the attached January 3, 2023, memorandum to summarize the scope of groundwater iron related investigations it has performed on and adjacent to OTRS #2, the results of those investigations, and the options available to the City to obtain a NFR for the site despite elevated iron concentrations in OTRS #2 groundwater. Staff has had extensive conversations with Terracon regarding these options.*

Key Staff Conclusions

- IEPA regulations do not require the City to address elevated iron concentrations in groundwater on or near OTRS #2.
- Elevated iron concentrations in OTRS #2 groundwater does not pose a health risk due to the fact that there are no known existing potable drinking water wells on or near OTRS #2.
- Elevated iron concentrations in OTRS #2 groundwater does not pose a health risk to visitors of a future public open space amenity that may be constructed on OTRS #2 and adjacent properties.

* Attachment included with 1-09-2023 Community Development Committee of the Whole agenda material.

- Existing DuPage County Health Department regulations prohibit the installation of new potable drinking water wells on or near OTRS #2 because all nearby properties are already connected to the City's municipal water system.
- It is impossible to determine if the elevated level of iron in the groundwater likely migrating into the West Branch of the DuPage River is attributed to groundwater migrating from OTRS #2, the Voegtles property, or from both properties.
- Remediating iron in groundwater on OTRS #2 would be cost prohibitive (likely in excess of a million dollars) and not ensure iron levels in groundwater will ultimately comply with applicable IEPA standards.
- The City can obtain an IEPA focused NFR letter for OTRS #2 without remediating for iron in groundwater if it adopts an IEPA approved limited ground water ordinance that would apply to OTRS #2 and the Voegtle property.
- Based on discussions with the City's environmental attorney, acquiring a focused NFR letter for OTRS #2 that only excludes iron in groundwater should not prevent the City from selling portions of the property for desirable private mixed-use development.

Recommendations

Based on the above conclusions, staff recommends the City Council:

1. Approve a limited area groundwater ordinance that prohibits the installation and use of potable water supply wells on OTRS #2 and the adjacent Voegtle property in accordance with applicable IEPA requirements.
2. Direct staff and Terracon to pursue a focused NFR letter for the OTRS #2 site that covers the entire comprehensive list of contaminants of concern except iron.

Next Steps

Staff will work with Terracon, the City Attorney, and the IEPA to prepare a limited area groundwater ordinance for OTRS #2 and the adjacent Voegtle property that satisfies applicable IEPA requirements. Staff will share a copy of this ordinance with Voegtle property ownership prior to it being included on a future City Council agenda for City Council review and approval.

Staff will work with Terracon to develop and obtain IEPA approval of a comprehensive remediation plan for OTRS #2 that, once implemented, would allow the City to acquire a focused NFR letter for the site that only excludes iron in groundwater.