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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN RE THE MATTER OF: )  
 )  
Mallard Lake Landfill )  
26 W 580 Schick Road )  
Hanover Park, Illinois 60103 )

January 17, 2008  
6:00 P.M.

PROCEEDINGS had and testimony taken before the  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 5  
taken at 1701 Greenbrook Boulevard, Hanover Park,  
Illinois, before LYNN M. EVANS, C.S.R., a Notary Public  
qualified and commissioned for the State of Illinois.

PRESENT:

- MR. MIKE JOYCE, EPA Region 5,  
Community Involvement Coordinator.
- MR. STEVE FARYAN, EPA Region 5,  
On-Scene Coordinator.
- MR. TOM KRUEGER, EPA Region 5,  
Associate Regional Counsel.
- MS. DONNA TWICKLER, EPA Region 5.

1           MR. JOYCE: First of all, my name is Mike Joyce.  
2 I'm a Community Involvement Coordinator with the Region  
3 5 with the USEPA. I would like to thank you all for  
4 coming out on this cold winter night to hear what we  
5 have to say.

6                       Basically there are a couple of reasons  
7 that we decided to hold this meeting. One was to give  
8 you background on the project so far, the investigation,  
9 the things that we've done so far, and the things that  
10 we plan to do. And also to explain the agreement that  
11 we've reached called Administrative Order On Consent or  
12 an AOC with the landfill owner and operator and.

13                      And finally, the On-Scene Coordinator,  
14 Steve Faryan, is going to give a presentation. We'll  
15 ask that you hold your questions. Tom Krueger, an  
16 attorney from EPA, is going to explain the order  
17 briefly. And I ask that you hold all your questions  
18 until those things are done and then we'll have a big  
19 Q&A period and we'll save a few minutes at the end for  
20 any of you who are familiar with the order or read it  
21 already and would like to make an oral comment. Our  
22 gracious court reporter here will be happy to take your

1 name and comment at that time.

2                   So first I think if Tom Krueger could step  
3 up and explain our Administrative Order On Consent from  
4 the legal standpoint and he'll be followed by Steve  
5 Faryan.

6           MR. KRUEGER: Thanks, Mike. As Mike said, I'm Tom  
7 Krueger. I'm an attorney with the USEPA in our Chicago  
8 office. I also would like to thank you for coming out  
9 and thank you for your interest in this. As Mike said,  
10 the main focus or the main driver behind our meeting  
11 tonight and the question and answer session is this  
12 order.

13                   Now, the landfill at Mallard Lake is  
14 regulated under a number of environmental statutes. It  
15 has permits. It's still subject to all those  
16 requirements too, but our environmental law also gives  
17 us special authority to come in and act when we learn  
18 about conditions that are serious enough that we think  
19 they may present an imminent danger to people.

20                   So when we learned of high methane levels  
21 down deep, but high methane levels outside of the  
22 boundary of the landfill, we felt that that could

1 present an imminent substantial endangerment to people  
2 who live near the landfill. So we moved ahead quickly  
3 to enter this order under this extra authority to  
4 require the owner and the operator of the landfill to  
5 get moving quickly to try to get a handle on where there  
6 was off-site contamination and to do something about it.

7           And in particular, this order requires the  
8 owner and the operator under legal penalties for failure  
9 to do it to install meters in people's homes if people  
10 are willing to allow access to put the homes in,  
11 identify and warn people that there is explosive gas in  
12 their home. They have to sort of jump start an investi-  
13 gation that they had already started moving forward on  
14 to try to figure out the nature and the extent of the  
15 escape of methane out past the landfill boundaries.

16           They have to do screening of people's  
17 homes, work with you to get access to come in, and see  
18 if there are landfill gases that have gotten into your  
19 homes. To do ground water sampling is part of the  
20 investigation to figure out if there are ground water  
21 issues, to work up a proposal to improve the systems  
22 they have in place that will hopefully control the

1 methane and landfill gas, and to do indoor air sampling.

2           Again, the main goal of this order is to  
3 try to determine what's going on out there and to try to  
4 assure people that they're safe in their homes. And as  
5 Mike said, we have under our legal authority when we  
6 issue a special order like this to deal with an imminent  
7 problem, we are required to come out in the community,  
8 have a public meeting, answer questions about the order,  
9 answer questions about what we're doing and what's going  
10 on under the order, and also to offer people an  
11 opportunity to make public comments on the record if  
12 they wish to.

13           And as Mike said, anybody who wants to  
14 make comments on the order and the things that are going  
15 on under the order is welcome to do that through  
16 February 1st. If you want to do it verbally tonight  
17 after our question and answer session, the court  
18 reporter will take any comments down that you wish to  
19 stand up and make. You also can submit them in writing  
20 or submit them at our website. And after February 1st  
21 when we gather all the comments, we will respond in  
22 writing to everyone who submitted a comment to us.

1                   And that's really all I wanted to say  
2 about sort of legal basis for what we're doing out  
3 there. I think you're probably most interested in  
4 hearing Steve tell you what we're doing, what we're  
5 finding, so I'll turn the floor over to Steve at this  
6 point and I thank you for your attention.

7           MR. JOYCE: Thanks, Tom. Right before we do that if  
8 any of you folks sitting over there want to move over to  
9 this section, we will have some stuff projected up on  
10 the screen, so you might have a better view over that  
11 way, over this way I should say. We'll hold off a  
12 minute.

13           MR. FARYAN: Good evening, everyone. I'm Steve  
14 Faryan. I'm an On-Scene Coordinator with the EPA. That  
15 just means I'm the project manager for the Mallard Lake  
16 case and other cases. I want to thank you all for  
17 coming tonight again, showing your concern, voicing your  
18 opinion. I'm going to give you an update, some history  
19 on what we've been doing, what we're finding, what we're  
20 trying to do to accomplish the, to protect your  
21 residence, protect your loved ones, protect your  
22 families, and yourselves.

1                   With that, thanks again for coming again.  
2 I'm going to also let you know how we can get  
3 information out to you, how you can contact Mike and I  
4 because our goal is not only get the situation defined,  
5 get it corrected, but also keep you informed of what's  
6 going on. That's our goal tonight to get all that  
7 information out to you. Thanks again for coming.

8                   I have a little presentation we're  
9 getting up right now, so if you would be a little  
10 patient. I also have some graphs that we're going to  
11 present to you also, some tables. I post a lot of these  
12 online too. I'm going to show you where we keep the  
13 information updated. If you would like to track what  
14 we're doing online, I have a website I set up to try to  
15 get information out to you. We also have information in  
16 the library also, in the Poplar Creek Library over on  
17 Schick. And the main one is in Hanover Park, is it,  
18 Mike, or Bloomingdale?

19           MR. JOYCE: Streamwood I think.

20           MR. FARYAN: Streamwood. Thank you. Those are ways  
21 we're going to keep information getting out to you so  
22 you can keep informed on what's happening.

1                   So our involvement at the Mallard Lake  
2 Landfill actually started back in May of 2007. Illinois  
3 EPA is our counterpart at the state, requested us to  
4 assist in a different problem that's very close to us,  
5 which is the, called the Wayne Township ground water  
6 contamination problem. Many of you probably know about  
7 that. It's off, down off of Fair Oaks Boulevard on  
8 Riviera Court, Judith Lane, and then also on Gerber  
9 where some homes, private wells were found to have vinyl  
10 chloride contamination. That was the first time I  
11 started working up here.

12                   I'm a DuPage resident myself and assist  
13 Illinois EPA on many cases across the State and in other  
14 states, but so that was our first involvement. And then  
15 we -- so we're looking at different sources of that  
16 ground water contamination, one of which could be  
17 Mallard Lake as we were starting to gather information,  
18 so that's how I first became involved. There is other  
19 sources we're looking at also, but that's an ongoing  
20 investigation and a whole separate case that I'm working  
21 on. We also have a website for that. It's called the  
22 Wayne Township ground water investigation.



1 Forest and BFI, they agreed to start conducting an  
2 investigation. That was in about October of 2007. We  
3 received their report to begin the investigation,  
4 approved of that work, and we began the first of  
5 November 2007. And what we started doing was doing  
6 these borings where we go out and actually look to see  
7 if there was methane coming off the west perimeter and  
8 south perimeter of the landfill is what our main goal  
9 was.

10                   The reason I asked for those areas  
11 specifically is because they had had some pressurized  
12 wells on the landfill perimeter that I reviewed again  
13 from previous information. And also on the south and  
14 west perimeters and landfill gas had pressures at their  
15 monitoring points on the landfill itself, so that's why  
16 we asked to go south and west.

17                   We then began -- during our investigation  
18 detected some methane levels off site. Our first  
19 investigation was in Discovery Park, which is just west  
20 of the landfill, and we were finding this methane in  
21 like 37-feet beneath the surface. That's important to  
22 tell you because that's quite a bit, very deep from

1 where your homes and basements are. And the geology is  
2 something I'm going to have to show you also because  
3 that is going to dictate where it goes and it's going to  
4 follow the most permeable lens which is usually sand and  
5 gravel.

6                   This is a cross section which would just  
7 be a picture of what it looks like underneath surface.  
8 If you -- this is the landfill itself prior and this is  
9 the south hill portion and this would be the north hill  
10 portion and this is the cross section here that we're  
11 showing. Here is the A, prime A off the west perimeter,  
12 so this would be east A prime going to west. Landfill  
13 material would be here in the south hill to show some of  
14 the gas extraction wells, some of the other monitoring  
15 wells they have here.

16                   This little lens here would be what we  
17 call a stand stringer or permeable zone where gas could  
18 migrate. This one more importantly is called W1 and W2,  
19 which is a sandy silt, sand and gravel. That's  
20 permeable where gas can travel. That's one where we're  
21 primarily finding the methane. That's about 37-feet  
22 beneath the surface. That's how the gas is traveling in

1 that scene westerly off the property. So that's the one  
2 we're really looking at. If there is any other  
3 permeable zones above that, we also collect samples from  
4 that. So that's a little snapshot of the geology of the  
5 area and how we think the gas is traveling.

6 Obviously from that picture too you see  
7 they do have gas extraction wells still ongoing at the  
8 facility. And they remove the gas and instead it's  
9 burned off in some turbines and they create energy from  
10 it. So that is something we're looking at obviously as  
11 a corrective action to expand and improve that system.  
12 And going to talk a little bit about that at the end how  
13 we think we can make improvements, having them improve  
14 the system so this gas is not migrating off site.

15 Tom talked a little bit about the 7003  
16 order. That's a section of our Resource Conservation  
17 Recovery Act that requires BFI and DuPage Forest to  
18 correct the problem and investigate the problem, that's  
19 why we're here tonight too so you can comment on the  
20 pending order. So under the order they submitted a  
21 formal work plan to us in December 2007 and then we have  
22 90 days to complete the first part of that which is

1 investigation work. There is also some quality  
2 assurance work that is required, in-home monitoring as  
3 Tom mentioned, installation of meters, and then also a  
4 big part of that is going to be how are we going to  
5 correct the problem. That's all covered in the order  
6 and that's going to be covered in the work plan too and  
7 we have reviewed and are improving that work plan right  
8 now.

9                   Part of that as I mentioned is corrective  
10 action. Some of that has actually even been initiated  
11 today. They replaced six wells in the landfill. They  
12 were copper mines from the waste settling and from heat,  
13 so that's being done already. An additional well has  
14 been put in. Some manifold piping is being cleaned out.  
15 So they are trying to improve the system as we talk  
16 today, but there is going to be more done as part of our  
17 order as part of the work plan.

18                   This may be something you'll see us in the  
19 neighborhood. All this is again being funded by BFI and  
20 DuPage Forest. This is the company that's doing the  
21 investigation work for them. And this unit just pushes  
22 a hole down in the ground which will put a temporary

1 well in and monitor for methane. We're also going to  
2 have them monitor the ground water and run those for  
3 volatile organic compounds and we're also having the gas  
4 analyzed for volatile organic compounds.

5           So in addition to methane, we're looking  
6 for these other compounds too that might be coming with  
7 the gas which could also be a problem. Today we've  
8 collected some rounds of sampling and in and around  
9 Discovery Park and that's going to expand out. Also  
10 these wells will be monitored for other compounds both  
11 in the gas and ground water.

12           This unit you may see in the neighborhood.  
13 We were out today too in those locations. I'm going to  
14 go through some of the locations on the map of what  
15 we've been finding. This is a little tough to see and I  
16 apologize for that. These are locations that we have  
17 been exploring, so you can see we've been in a large  
18 area of Hanover Park, primarily going to the west, but  
19 some to the south also. And I know it's hard to see and  
20 I apologize, but we'll come up after my presentation if  
21 you want to go through some of these with me.

22           The red ones are where we are detecting

1 some methane concentrations. And as you can see we are  
2 really moving to the west in Hawk Hollow and we're  
3 coming also to the south in the subdivision that's just  
4 south of there, but primarily the gas is migrating to  
5 the west. In this 37-foot below seam is where we've  
6 been finding it and we're also looking up shallow too,  
7 but this is primarily where we've been finding it. We  
8 are also monitoring inside the homes. This is primarily  
9 where the methane is being detected and that's where the  
10 investigation is being focused.

11                   We also did some investigation here on the  
12 south part of the landfill where we had detected some  
13 pressurized readings from the landfill from earlier  
14 results in 2002 and had them do some investigation on  
15 the south side of Schick Road and had no detection of  
16 methane there at all. There is some additional  
17 corrective action that the landfill is going to do in  
18 that area to keep methane coming off the perimeter on  
19 the south end too, but the primary problem is on the  
20 west end.

21                   As you can see, we've expanded out quite a  
22 long way from the landfill and we'll continue to do so

1 until we have the whole problem defined before we can  
2 put a solution to it. I post these up on our website  
3 weekly too. If you want a specific one or come up and  
4 look at where your house is in relation to these  
5 results, I'll have this up here all night and we can  
6 talk about it.

7                   So the consent order as Tom was talking a  
8 little about -- Mike, is under our Section 7003, which  
9 is an imminent substantial endangerment to the public  
10 caused by explosive gases and methane gases getting off  
11 the landfill. It requires BFI and DuPage Forest to  
12 complete all the work to be performed on it that we put  
13 in the order which was investigation to define the  
14 extended contamination, also looking at the ground water  
15 and gas if there is any other compounds in it. Going  
16 home, into homes to make sure you are safe inside your  
17 homes. Installing meters and also corrective action to  
18 take care of the problem.

19                   This is a meter that would be installed in  
20 some of the homes and some of you have probably had us  
21 in your home already where we've done monitoring with  
22 our meters and also did an installation. We have one

1 here today if you want to look at it. This again is  
2 just another safety factor for you all. It's like a  
3 smoke detector, so if you're in the area of our  
4 investigation and would like to have us monitor your  
5 house, collect some samples, and also install this, we  
6 have a sign up sheet here today, so please get up on the  
7 sign up sheet. If you have some neighbors that aren't  
8 here today, let them know about it and we'll come out.

9           Again, that's all being paid for by BFI  
10 and Allied. Megan is, in fact, right here that's doing  
11 our scheduling for us. We don't just knock on your door  
12 and intrude like we were at first. Megan is giving you  
13 some calls and setting it up so we can come at your  
14 convenience, after hours, or Saturday or Sunday.  
15 Whenever you're available. Megan has been doing a real  
16 nice job on that.

17           Total numbers I can give you real quick  
18 how many homes we've been in. 137 homes we've screened  
19 and out of those 114 explosive gas meters were installed  
20 and we visited 212 homes. So even if you're outside of  
21 our study area and want us to come and take a look at  
22 your house, we certainly will do so. And sign up

1 tonight because that's our main goal is that you feel  
2 safe and that we get in and monitor your house. If  
3 you're not in the area where we're detecting methane, we  
4 probably wouldn't recommend putting a meter in, but  
5 again, we would come out to your house and do some  
6 screening. Okay.

7                   So our investigation is ongoing to see  
8 where the methane gas has migrated too. We're also  
9 going to sample wells for volatile organics in the  
10 ground water, also for volatile organic compounds.  
11 Coming into your homes to sample your homes to see if  
12 any methane gas has gotten inside of homes. Out of all  
13 those homes I've told about, we have not detected any  
14 methane levels or explosive vapors, so that's good news.

15                   We did have one house that had an alarm on  
16 Goddard Street last week that Chief Haigh and his fire  
17 department responded to. We changed out the meter. It  
18 may have been a meter problem, but again the follow-up  
19 work that was done by the contractor for the landfill,  
20 SDS, Steve is here, did find it was a little bit of gas  
21 leaking at one of the unions at the furnace in the  
22 utility room. It picks up any explosive gases from

1 natural gas or propane or any other methane problem,  
2 methane and propane too. So it's an added level of  
3 safety for you. Nothing that I want you all to get all  
4 concerned about, but that's why we wanted to get those  
5 out in your homes and get those installed.

6 Work plan also has been submitted to us  
7 with some proposals on how to improve the problem and  
8 how to collect the gas so it's not migrating off site.  
9 So BFI -- we're under review on that, talking with them  
10 how to correct this problem. Installing additional  
11 collection wells on site is certainly going to be one of  
12 the things that they're going to do for us right away  
13 and also improving some of the collection system and  
14 manifold system.

15 They have also made proposals on how to  
16 collect gas that's actually gotten off site. That's in  
17 review by EPA right now and we're going to keep you  
18 updated on the progress with that. Their engineers are  
19 looking at the best way to correct the problem as it  
20 stands right now to make sure that the gas is being  
21 collected from wherever we find it and especially off  
22 site and on site, so that's ongoing right now too.

1                   Additional wells are proposed on the west  
2 perimeter, off property, off the property. They're also  
3 proposing collection. They have even in their proposal  
4 mentioned possibly venting some of these wells to the  
5 atmosphere. That's something we're commenting back on  
6 right now that we are not interested in that, as only a  
7 last alternative. That we would like to see it  
8 collected and burned off. And that's going to be one of  
9 our comments coming back to BFI and DuPage Forest. If  
10 it's a last option, it may be something that we would  
11 consider.

12                   All homes within the boundary we can come  
13 out and offer conducting monitoring. We use some of our  
14 air monitoring equipment to look for explosive gases and  
15 methane. And then we also would install a monitor in  
16 your house. It only takes about a half hour. Besides  
17 coming in with some wet feet once in a while, it's not  
18 that intrusive to your residence hopefully. If you want  
19 to sign up, please do so tonight or we have Megan's  
20 contact on the fact sheet.

21                   There are some numbers I just told you  
22 about. Again, key thing, no methane gases or explosive

1 vapors have been found in any homes. I've been in  
2 several basements also and that's something we would be  
3 concerned about. If you have a basement or have a  
4 neighbor who has a basement, we want to come and take a  
5 look at the basement also because it's obviously dug  
6 into the ground and potentially closer to where we're  
7 finding the methane. We want to make sure we're looking  
8 at the basements also.

9           As I did allude to, this is probably a  
10 good example of it. The red dots here would be  
11 indicative of methane gas that we've detected, and I  
12 apologize, it's actually Morton Street, Morton Road. So  
13 we actually have found some methane along this area here  
14 west of Morton Road, so these are some more recent  
15 results and even beyond we've had a couple locations  
16 just in the last couple of days beyond this one right  
17 here, CP 47. We continue to find methane towards the  
18 west and that's what we're going to define that area and  
19 make sure we have a real good handle on where this has  
20 gone so we can correct the problem.

21           We've done some shallow soil gas monitor-  
22 ing too in Discovery Park and that's something we would

1 be interested in and have done around some homes and are  
2 going to do some more. So we're looking at the top  
3 eight feet where your house or basement would be  
4 located. And to date have not found any methane in the  
5 shallow soil gas, except one probe that was on the  
6 immediate west perimeter of the landfill and correlated  
7 with a problem they had at the gas plant that's on site  
8 that actually shut down due to an electric problem I  
9 believe it was, power down. So it was down for a couple  
10 of days on a weekend and we had a methane detection in  
11 the shallow soil gas probe and no shallow soil gas.

12                 So what that tells us is that we're not  
13 seeing a lot of gas migrating up into this clay that's  
14 actually above those permeable zones I showed you.  
15 That's where your house could be sitting on. So that's  
16 good news to us, not finding shallow soil gas.

17                 So again what we can conclude so far is  
18 that that gas is traveling in the lower zone, 37-foot  
19 zone that we call a W1, W2, which is a more permeable  
20 sand gravel silt. The upper clay is a protection for  
21 that gas from migrating upwards in the home. So that's  
22 what we're seeing so far, but we're going to continue to

1 do that monitoring in homes and that shallow soil gas  
2 monitoring too.

3                   This would be an example of technicians,  
4 contractors for the landfill out doing the gas  
5 monitoring on those probes that we put in, those  
6 temporary probes. You may see us out doing this work.  
7 This work is ongoing work weekly and at each probe. It  
8 will be done quarterly for at least a year for each  
9 probe, even if we didn't have a gas detection. So  
10 that's also all in the work plan.

11                   So our path forward is complete the  
12 investigation, make sure we know where all the methane  
13 is, and where it's migrated too. Complete and ongoing  
14 in home screenings to come out and screen your house,  
15 install meters, keep the maintenance on those meters  
16 also. If you sign off on an access agreement, we're not  
17 forcing you obviously to take those, but you would have  
18 to voluntarily take them. Our main goal is to complete  
19 improvements to keep this methane from migrating off  
20 site and also to collect it, what has gotten off site to  
21 date. And after that is done, to make sure that the  
22 landfill is continuing to monitor and optimize that

1 system to make sure this doesn't happen again.

2                   A lot of that is done under their permit  
3 also. That's overseen by Illinois EPA and ourselves. A  
4 lot of that ongoing collection work is going to be done.  
5 After I'm gone with the emergency part, the Illinois EPA  
6 is still, the facility is operating under permit and  
7 will have to continue to do so for many years after it's  
8 been closed for many years and they have to continue  
9 monitoring both gas, ground water, make sure no erosion.  
10 So they have a whole set of post-closure rules they have  
11 to follow to make sure this facility is being maintained  
12 properly.

13                   This is soil borings we took in Discovery  
14 Park just showing you some of that clay that's from the  
15 surface going on down where we feel that that is a  
16 buffer keeping that gas from getting up towards the  
17 homes. That would be up in this area here is where we  
18 saw that clay. Occasionally we can come in and see some  
19 more permeable seams and monitoring those also.

20                   So one of the reasons tonight we're here  
21 is to get some comments from you both verbally and  
22 written so that we can make comments in our work plan to

1 make sure that this project gets completed correctly and  
2 successfully. We're going to respond to all of your  
3 comments as Tom said. We're also going to have a  
4 summary of our comments, response back to you on what  
5 you ask us to do and that will all be part of the  
6 administrative record. The record is going to be kept  
7 at the library. We'll get it posted up on the website.  
8 There is many ways I'm going to communicate to you.

9           So the library is going to be a good spot  
10 to get information. I also have a website that we're  
11 keeping updated and that's one of our EPA On-Scene  
12 Coordinator's websites and that will take you into the  
13 site itself. And you can go through, look at all of our  
14 updates. We do a weekly update. We're posting maps  
15 like this. We're posting any fact sheets, information.  
16 This is a good way I can communicate with you if you  
17 can't -- keep some weekly updates because this is  
18 obviously progressing on a daily basis.

19           And then also if you need something  
20 specifically also, you get ahold of me at my phone  
21 number or website. Mike also. And then Cassidy is  
22 Megan's counterpart and she is a contractor for BFI

1 Allied doing all the scheduling for the in-home  
2 monitoring and meter installation and that's how you  
3 would get ahold of Megan or Cassidy right here.

4 MR. KRUEGER: Just to amplify on one thing that you  
5 were saying Steve because it's something I neglected to  
6 touch on when I was talking about the order. One of the  
7 real advantages of having this order from our agency's  
8 perspective and it's mostly in Section 9 of the order,  
9 which I wouldn't necessarily recommend reading, but the  
10 point of that section is all of this work is going to  
11 proceed under work plans that the company has developed  
12 and that the USEPA reviews and approves.

13 Under Section 9 of the order it gives EPA  
14 the ultimate control over what's going to be in those  
15 work plans; that is, we give them back comments,  
16 corrections, modifications, and they have to implement  
17 the changes that we require. So that's while the plans  
18 are developed by the company's contractors, ultimately  
19 EPA under the order has control of the work that will be  
20 done.

21 MR. JOYCE: And as the work is being done it's  
22 overseen by Steve and his group.

1           MR. KRUEGER: Right, as Steve said your comments may  
2 help inform the comments that we'll make on the  
3 submissions that we provide. And I believe that the  
4 work plan sort of happens in pieces. And I believe that  
5 as the pieces are approved, those approved plans will  
6 also be available in the library.

7           MR. FARYAN: Yes, they will.

8           MR. KRUEGER: For your review.

9           MR. JOYCE: Okay. Open it for Q&A.

10          MR. CRAIG: Rodney Craig, Village President of  
11 Hanover Park. Can you describe for me the difference  
12 and the roles between EPA, Federal EPA, the Illinois  
13 EPA, and their, the regulatory differences and the  
14 oversight differences? Obviously you're here under  
15 emergency recovery role and then some point you'll  
16 leave, but you're still overseeing the work plans that I  
17 assume then Illinois EPA will oversee and then that's  
18 how they regulate the local BFI, the owner of the  
19 landfill? Just a little description of --

20          MR. FARYAN: Sure. Good point. USEPA, Illinois EPA  
21 have different functions, but we are a team on this  
22 case. This order is specifically USEPA order that

1 correct the emergency problem, the methane gas migrating  
2 off site, but the facility is under a permit with the  
3 State to operate and collect the gas and monitor the  
4 gas. So it's in a post-closure phase right now. Donna  
5 Twickler from the USEPA's office is with me tonight.  
6 I've asked her for her assistance. She's also on our  
7 team to help monitor the progress of that permit to make  
8 sure it's being followed and all those parameters in the  
9 post-closure is going to be followed.

10                   And the State has been monitoring that for  
11 many years and will continue to do so. And they're  
12 under a close microscope right now with the problems  
13 we're seeing to make sure these not only get corrected,  
14 but don't happen again. So it is a team, but different  
15 functions too. Us taking the emergency on. The State  
16 is going to continue to monitor the progress under the  
17 permit with some USEPA oversight also.

18           MR. JOYCE: Steve, could I clarify something. It  
19 sounded like you said, it sounded like you were thinking  
20 that Steve would just approve the work plan and  
21 disappear and then the State would take over, but that's  
22 not quite right. Actually, he would oversee all of the

1 work, all the corrective action. And when it's all done  
2 and everything is defined, then we would turn it over.

3 MR. FARYAN: Some of it will be done actually under  
4 the permit too. There is some cross boundaries there  
5 too, but as they submit some of these plans it's going  
6 to be in the permit too. We will not leave. We're  
7 going to be around 'til this is complete.

8 MR. CRAIG: So while the gas got out and once it's  
9 restored and recontained, then at that point, okay.  
10 Thank you.

11 MR. MANTON: Bill Manton, Village Trustee.  
12 M-a-n-t-o-n. My question is first of all has any  
13 testing been done for methane in the private water wells  
14 that are along the west perimeter of the dump?

15 MR. FARYAN: We have not yet, Bill. That's a very  
16 good question. Just sampled for volatile organic  
17 compounds on the wells that are on County Farm Road, but  
18 that is something we are going to do. Very good  
19 comment. That will happen.

20 MR. MANTON: And the other question is has there  
21 been any plans for any piping or recovery manifolds off  
22 of the actual landfill site out into the neighborhoods,

1 is that something we're going to be seeing?

2 MR. FARYAN: Early plans did not have any manifolds  
3 coming off site, but that could be something that  
4 potentially could happen.

5 MR. MANTON: So we should keep an eye on the updates  
6 on the website?

7 MR. FARYAN: We're going to keep you updated. If  
8 you want to have another meeting like this once we  
9 approve of the work plan and get all the corrective  
10 action in, we can certainly do that again if you want to  
11 have another meeting like this. We would be happy to do  
12 that to get the information to you. Everything has not  
13 been finalized. We're still reviewing, collecting  
14 comments, and then I'm going to get those comments off  
15 to BFI and the DuPage Forest.

16 MR. MANTON: Thanks, Steve.

17 MR. FARYAN: Okay. Sure.

18 MR. FANTAUZZO: Sam Fantauzzo, F-a-n-t-a-u-z-z-o.  
19 I'm a resident of the area. The obvious concern is --  
20 and that's the reason why everyone is here. The  
21 question that I have as a resident, as a taxpayer in the  
22 Village, you'll be happy to note that the reason we're

1 here tonight, my wife and I, is because we happened to  
2 stumble on this by accident. I'm just curious as to why  
3 the Village wouldn't notify the residents. A couple  
4 weeks ago noticed a strange truck as you had the picture  
5 up there drilling several sites. Kind of wondered what  
6 that was all about.

7                   The major concern that I have is after  
8 contacting the Village, the Village says that they don't  
9 know anything about this. Now, I'm just curious because  
10 living in the Village if you put a nail in the wrong  
11 spot, someone is there to let you know that you need a  
12 permit. So I'm just curious as to how someone starts  
13 drilling in the area and nobody knows anything about it.  
14 The Village they referred us to BFI. That's how we're  
15 here tonight because someone was at my house earlier  
16 today to install a unit that you describe there and they  
17 notified us that there is a meeting tonight.

18                   So I'm just curious as a resident -- and  
19 I'm sure you live in DuPage or whatever, but if you were  
20 a resident here, you think maybe the residents have the  
21 right to know why there is trucks drilling, what the  
22 plan is, or what the -- why we're drilling would be

1 actually pretty nice.

2 MR. JOYCE: Excuse me, sir, could you tell me in  
3 general where you live?

4 MR. FANTAUZZO: I live right next to that red dot in  
5 the area there. Six houses from that red dot. Green  
6 Bridge Lane, 2138.

7 MR. JOYCE: Well, as far as I know we mailed both a  
8 fact sheet and a postcard --

9 MR. FANTAUZZO: A little to your left there.

10 MR. JOYCE: At the time we mailed it it wasn't going  
11 that far.

12 MR. FANTAUZZO: Well, it's been several weeks. Like  
13 I said, we've been watching drilling going on. It's  
14 like we moved to Texas in an oil rigging area.

15 MR. FARYAN: Okay. I apologize you didn't get any  
16 notification from us. We got ahead of ourselves on the  
17 investigation side. We'll try to do a better job of  
18 that. Mike has been doing a great job of fact sheets  
19 and fliers as Megan has. We apologize, sir, you didn't  
20 get any notification.

21 MR. FANTAUZZO: Given the circumstances, like I  
22 said, even by error I think residents that may be

1 effected or not effected, I think we should know what's  
2 going on.

3 MR. FARYAN: Certainly. I agree totally. I will  
4 do my best to make sure you do know what's going on and  
5 do get notified. We'll try to move on ahead of  
6 ourselves so that doesn't happen again.

7 MR. CRAIG: Steve, there is probably a component of  
8 that question that deserves an answer. And we've been  
9 on top of this right from the get go, press release. I  
10 do know that the EPA was putting out I think it was door  
11 hangers and mailings to all the homes that were  
12 effected. That was our understanding.

13 Now, if this thing went a little further  
14 and there were some homes that were not notified, it was  
15 my understanding that all homes were being notified. So  
16 we have Mark Masciola here this evening. He's the  
17 Assistant Village Manager, so we have a high level  
18 manager in our Village that's right on top of this, been  
19 working very close with the EPA.

20 It's our intent to keep everybody  
21 informed. We put the information in the libraries.  
22 Thank you, Steve, for the EPA for doing that. If there

1 was a breakdown in the communication, we feel we were  
2 going beyond. And if that didn't happen, we're going to  
3 revisit that.

4 MR. FANTAUZZO: We're about a block off of  
5 communication.

6 MR. CRAIG: Okay. I agree with you, you deserve the  
7 right to know and that's our expectation.

8 MR. JOYCE: Let me add one thing. It might be a  
9 good idea if Steve was given contact information. And  
10 it is like sort of a burden on the Village, you know  
11 what I mean, so it would be okay I'm sure with Steve or  
12 I if you call us. And just in general people answering  
13 the phone might not know. If they can refer them to us,  
14 that would be fine.

15 MR. FANTAUZZO: I got a silly question in answer to  
16 your comment. If a resident would call and you guys are  
17 doing everything you can to inform us, why would someone  
18 tell them that you don't know what's going on?

19 MR. CRAIG: That shouldn't happen.

20 MR. MASCIOLA: Who did you speak with?

21 MR. FANTAUZZO: Whoever answered the phone for the  
22 Village. I would imagine they would at least be

1 informed. They knew enough to give us the BFI contact,  
2 so I would venture to guess somebody should be informed  
3 at that point.

4 MR. CRAIG: We'll follow-up on that. That shouldn't  
5 happen.

6 MR. MASCIOLA: A press release was issued. I  
7 believe it was November 21st, on Thanksgiving Day, an  
8 article appeared in the Chicago Tribune regarding this.  
9 Your particular neighborhood we didn't even know it was  
10 that far until approximately about a week ago that the  
11 gas had migrated that far, so I apologize for you not  
12 nothing, but --

13 MR. FANTAUZZO: I'm not looking for an apology. I'm  
14 just looking to make sure that as residents like I said  
15 I think I'd error on the side of making sure we know  
16 what's going on so that we're not just looking and  
17 watching this drilling going on and wondering what it's  
18 all about. We've all heard about the landfill being  
19 closed and all of that. It's not a novelty, but yet six  
20 houses from my house there is a truck out there boring  
21 away. I guess everybody would kind of raise an eyebrow.

22 MR. MASCIOLA: I'm Mark Masciola, M-a-s-c-i-o-l-a.

1 I'm Assistant Village Manager for Hanover Park.

2 MS. MURRAY: Sandra Murray, M-u-r-r-a-y. Do the  
3 little meters that we can have installed in our home do  
4 those just check for methane or do they also check for  
5 VOC's?

6 MR. FARYAN: They just check for explosive gases,  
7 methane only. To check for VOC's we have to do some  
8 additional sampling. Our meter that we bring in would  
9 detect it in parts per million. If we wanted to go to  
10 lower levels, then we would have to actually collect a  
11 vacuum flask and send it out to a lab. So if we start  
12 to see methane up in your home or inside a home, we  
13 would do additional sampling also, but we haven't seen  
14 that yet, so that's the good news.

15 MS. MURRAY: Also, in the first slide that showed  
16 the Mallard Lake history said it closed in 1991, I moved  
17 here on Whitney in '98 and it was still operating and  
18 accepting waste at that point.

19 MR. FARYAN: That's a good point. I need to correct  
20 that on my slide. That's an error on my part. '99 I  
21 think is what I was told at an earlier meeting is  
22 actually when it was closed. That's a good point.

1 That's an error on my part. Sorry about that.

2 MS. MIKESKA: Nancy Mikeska, M-i-k-e-s-k-a. I  
3 represent Mallard Lake Estates Community Association.  
4 We're south of the landfill and we would like to know  
5 how many tests have been conducted south of Schick Road  
6 and if there is any concern for our area?

7 MR. FARYAN: Okay. Thanks, Nancy. We to date,  
8 Nancy, have conducted four different tests here along  
9 Schick Road and had no detections of gas, methane gas at  
10 all. The reason we focused on that area was because  
11 that's where some of the probes on the landfill had  
12 indicated some pressures from some earlier sampling and  
13 where some work had been done previously by BFI.

14 We've also been inside several of the  
15 homes, it's either three or four, Nancy, in Mallard Lake  
16 Estates and monitored inside the basements and installed  
17 some meters also and did not have any gas detected. So  
18 that's our current status over in Mallard Lake Estates.

19 MS. MIKESKA: Okay. Thank you.

20 MR. FARYAN: If there is more to be done, we  
21 certainly would respond to those requests.

22 MS. MIKESKA: I've actually been asked by the

1 residents along that road if I could set up testing for  
2 that entire street.

3 MR. FARYAN: Right along Schick Road, that wouldn't  
4 be a problem. We'll get with Megan and start, exchange  
5 some contacts with her so we can get those scheduled  
6 in. That wouldn't be a problem.

7 MS. FINNANDER: Karen Finnander, F-i-n-n-a-n-d-e-r  
8 with Starck Realtors. As of January 1st of this year in  
9 Illinois we have a new radon policy disclosure. Would a  
10 radon inspector operator be able to test for VOC's or  
11 methane and does the consumer need to be aware of any of  
12 those operators offering testing for methane or VOC's?

13 MR. FARYAN: Okay. The radon test would not detect  
14 methane or VOC's. If somebody is offering that, I would  
15 say that's not necessary at this point because if you  
16 just schedule it, BFI and Allied is going to do that for  
17 no cost. I would not recommend they hire somebody  
18 private at this time. The radon will not pick it up at  
19 all. Okay. Does that answer your question?

20 MR. FANTAUZZO: Sam Fantauzzo. I happen to be  
21 speaking with someone tonight who works at another  
22 Village and is it accurate to say that some of the

1 migration or seepage would also be possible through the  
2 gravel or whatever that goes around some of the drainage  
3 or sewage pipe?

4 MR. FARYAN: That's a good point, Sam. Yes, it  
5 could. It could travel if it's up in the upper zone  
6 around utility corridors, sewer pipes. The Village of  
7 Hanover Park has done some monitoring in the sewer pipes  
8 and storm pipes closest to the landfill and has not  
9 detected anything yet. That is something we would be  
10 concerned about, especially if it was found up in that  
11 upper clay zone if there was some gas migrating it could  
12 go along the sewer pipe and gravel, yes, sir. That's  
13 something we will continue to look at it. Early  
14 monitoring results at least from the sewers haven't  
15 showed anything, but that's something we need to  
16 continue to look at. That's a good point.

17 MR. PACKHAM: Robert Packham, that's P as pneumonia  
18 a-c-k-h-a-m. I take exception to paragraph 16 in the  
19 AOC where it shows the landfill located on Schick Road  
20 in Hanover Park. It's not. Never was. Never will be.  
21 It's unincorporated DuPage County. Thank you.

22 MR. KRUEGER: I would ask you if you wouldn't mind

1 if you would want to repeat that during the formal  
2 comment period. We'll have it on the record and you'll  
3 be guaranteed of getting a response. This question and  
4 answer session you're getting answers right now. The  
5 comment period is a little more formal.

6 MR. JOYCE: That means he has to answer.

7 MS. CYWIN: Beth Cywin, C-y-w-i-n. I have a  
8 question on more of, it's more of a science question  
9 type thing. So why is it that you don't think it's  
10 going south? Is it where the places where the  
11 extraction wells are already in place or is this W1 that  
12 you call it actually different as you move south or what  
13 is -- do you know the geography of the land there that's  
14 actually dictating what's happening here?

15 MR. FARYAN: Okay. On the south, Beth, there are  
16 some similar geology, but not exactly the same, but  
17 there is some permeable areas that could move. The  
18 ground water table as I understand it is higher on the  
19 south part so that may be preventing the gas from moving  
20 or the collection wells on site may be more effective.  
21 I don't think we really know why it's not moving off the  
22 south perimeter yet, but it's good that it's not

1 obviously.

2 MS. CYWIN: I'm like southwest. I'm one of those  
3 green dots. I wasn't here early enough to know what the  
4 green dots mean.

5 MR. FARYAN: Green dots are planned investigations.

6 MS. CYWIN: So you have expanded it beyond the  
7 original notice that it was going to Deforest and you're  
8 now expanding it south?

9 MR. FARYAN: Yes, just based on we want to make sure  
10 that we're identifying the whole extent of the methane.  
11 So we have moved on farther south, but at this point we  
12 have not detected anything south of Deforest at all.  
13 And even today we had a couple of other wells that we  
14 put in.

15 MS. CYWIN: I saw things marked this morning when I  
16 left and that's exactly where it was.

17 MR. FARYAN: So Deforest at this point looks like a  
18 southern boundary to us, not for certain, but that's  
19 what's kind of showing up to us on a day-by-day basis.  
20 Okay?

21 MS. CYWIN: Okay. Thank you.

22 MR. FARYAN: We're not sure of all the conditions on

1 the south part, but that is something that's going to be  
2 covered in the corrective action that they make sure  
3 that there is no methane migrating off the south  
4 perimeter of the landfill. They're going to submit  
5 plans to us on how they're going to control that. Part  
6 of that was putting in some additional collection wells,  
7 doing some dewatering so those wells aren't binded off.  
8 They thought that maybe the water table was rising at  
9 times and blinding their collection wells.

10 MS. CYWIN: It's wet, really wet. That's swamp  
11 land.

12 MR. FARYAN: Something they're looking at.

13 MR. JENKINS: Dennis Jenkins, J-e-n-k-i-n-s. In the  
14 first part of your presentation you made a comment about  
15 a proposal, a suggestion was to bleed off the methane.  
16 Why would anybody even think of that?

17 MR. FARYAN: Good point. It's over in Hawk Hollow  
18 in the areas over here where they've detected some  
19 methane where they propose to do that because it wasn't  
20 near the residences and it was so far from the landfill  
21 that it might be very difficult to get any manifold  
22 systems or additional blowers over there to move the

1 methane, so that's why I think they proposed it to us.

2                   Our comments going back to them are that's  
3 not our preferred method to do it. They need to define  
4 what else is in the gas. We really want to see this  
5 methane burned off, so those are the comments from us  
6 coming back to them at this point. That's why they  
7 proposed it because it was so far from the landfill and  
8 away from the residences. That's why I believe they  
9 proposed it.

10           MR. JENKINS: So their assumption is because it's  
11 far away and they let it in the air that it's just going  
12 to sit there, it doesn't blow around and --

13           MR. FARYAN: It would vent to the atmosphere is what  
14 they were proposing to do, which is really a passive  
15 venting system.

16                   Donna, is that allowed at other landfills?

17           MS. TWICKLER: We were just talking about that.  
18 There are times that the State does allow passive  
19 venting on landfill property, so that's a possibility,  
20 but all the comments from our end is that that would be  
21 a complete last resort if there was an imminent hazard  
22 only and that we don't find it acceptable.

1           MR. JENKINS: An imminent last resort. When that  
2 happens or when you get close to that, would you like my  
3 phone number to call me!

4           MS. TWICKLER: Everybody is going to be called if  
5 that happens. That's if it's getting in people's  
6 basement, that kind of issue where there was really some  
7 hazards immediately to people in the area. So that's  
8 not been the case so that is not something we are  
9 considering at this time. We're not going in that  
10 direction because there isn't -- you know, people aren't  
11 being exposed in their houses right now.

12          MR. FARYAN: If you feel that way, at the comment  
13 section voice your concern on that because that's a  
14 concern.

15          MR. JENKINS: Well, I'll be honest at this point I'm  
16 not upset. I really am not. As long as we're taking a  
17 very active and visible role in this, I'm not upset. I  
18 just want to be kept aware, abreast of how things are  
19 going. If I saw a truck six doors from my house, and  
20 he's being very calm, I would be -- but as long as I  
21 think we got lucky with the clay because we seem to take  
22 it for granted. Well, the clay is the thing that is

1 keeping it from -- I think we got lucky because it just  
2 happened to be there. We have a very clay soil. So if  
3 it wasn't, we probably would be in trouble, but as long  
4 as you people are doing what they're supposed to do, I'm  
5 not worried about it. I just want to be kept informed.

6 MS. FORD: Libby Ford, F-o-r-d, and I back up to  
7 the -- the landfill is in my backyard. So is that going  
8 to be monitored also right there?

9 MR. FARYAN: Yes, it is.

10 MS. FORD: Right off the hill?

11 MR. FARYAN: Yes, it is, Libby. They're required  
12 under their permit to conduct even monthly sampling of  
13 all their perimeter wells, monitoring wells, and gas  
14 wells. So that's something they're ongoing and would  
15 continue to go for post-closure on this landfill.  
16 Donna, is it 60 years, is it?

17 MR. MASCIOLA: 100.

18 MS. FORD: They cut the grass there one time this  
19 past summer, so I don't know how long they're going to  
20 monitor this.

21 MR. FARYAN: They have to under the permit for 100  
22 years post-closure.

1 MS. FORD: The Village tells us they have no say-so  
2 over that because they don't own it, but yet if I didn't  
3 cut my grass, they'd come over there and cut my grass  
4 and put a ticket or something.

5 MR. FARYAN: Okay. Yeah, any concerns you have like  
6 that I would voice them to Megan tonight. She can get  
7 them back to Jim Hitsroth (phon.) who is the landfill  
8 operator, works for BFI, about things like that to see  
9 if that can get corrected because that may be an avenue  
10 to try to get that corrected. We will make them --  
11 under the permit the State we will require them to  
12 monitor and we will make them monitor this during our  
13 investigation and corrective action also. Does that  
14 answer your question?

15 MS. JENKINS: Alice Jenkins, J-e-n-k-i-n-s. When  
16 the landfill first closed there was active burning of  
17 the gas. You would see fires forever. What happened?

18 MR. FARYAN: Okay. Alice, around in the -- when the  
19 gas plant was put in, which was my recollection, about  
20 2000, they collect gas now and through a pipe send it  
21 back to the gas to energy plant which burns it in a  
22 turbine to make energy. That's why you no longer see

1 the flames. It's being piped over to the plant and  
2 being burned off to make energy is what's going on.

3 MR. MASCIOLA: Mark Masciola. Prior to the gas  
4 plant being constructed and installed, I don't know if  
5 anyone has remembered, but they used to flare it off on  
6 the hill itself. It looked like a birthday cake with  
7 candles on it. Once that system was constructed, all  
8 those vents were contained and then the gas collection  
9 system constructed and put into place where they burn it  
10 down at the plant, but they had to deal with it while it  
11 was still in the operating state so they wouldn't have  
12 additional gas problems.

13 MR. STEINHARDT: George Steinhardt,  
14 S-t-e-i-n-h-a-r-d-t, also from Mallard Lakes. How  
15 similar or dissimilar are the problems that you're  
16 experiencing and witnessing here to other landfills like  
17 Old Settler's? Is that over in Geneva? I think that's  
18 the name of it. Where they also have the gas  
19 reclamation gas to energy, how similar or dissimilar?  
20 And success rates in other landfills as to what your  
21 expectations are for this one?

22 MR. FARYAN: Donna, do you want to comment on that?

1 I'm not real familiar with Settler's Hill or other  
2 landfills. Donna has more experience with landfills  
3 than I do.

4 MS. TWICKLER: Right. I do know there is other  
5 landfills that have problems such as these, but given  
6 the geology of the site and the technologies that are  
7 available, it's very solvable is the bottom line here.  
8 And there have been -- you know, I can't run the gamut  
9 of all the sites, but there have been sites that have  
10 been, you know, even worse where the people were getting  
11 sick on the perimeter of the landfill and things like  
12 that. I think the good news is that things look like  
13 they're very contained and their looks like there is  
14 some really good technical options to take care of it  
15 long term.

16 MR. FARYAN: We have seen a problem in other  
17 landfills though, George, to answer your question, even  
18 on my side, on the emergency side. We've responded  
19 across in the Midwest landfills with methane migration  
20 problems and even several in Illinois, so --

21 MR. STEINHARDT: And your containment then has been  
22 very successful?

1           MR. FARYAN: Yeah, Donna, she mentioned our  
2 technology is available to remove the gas, contain it,  
3 improve the systems.

4           MS. TWICKLER: And have setup barriers for the  
5 migration of the gas off site. That's all the things  
6 we're looking into right now to employ down the road,  
7 not too long down the road either, but soon to keep the  
8 gas from migrating off site and making sure we can take  
9 the gas that is on site and safely deal with it so there  
10 is no hazard or conditions to people as we control  
11 and -- I don't want to say release it. I want to say  
12 treat it because I don't think there is going to be any  
13 chance it's just released.

14          MS. MURRAY: Sandra Murray. If we have, the  
15 homeowner has somebody to come out and do the testing,  
16 will we receive, the homeowner receive written results  
17 of what was discovered in or around our own homes?

18          MR. FARYAN: Yes, we will, Sandra. That's my  
19 communications back to you, try to keep you informed.  
20 So if anybody --

21          MS. MURRAY: But not immediately because I just  
22 heard from somebody who's had her home tested she said

1 she has received nothing, no results.

2 MR. FARYAN: Okay. If you could give me your  
3 address, I'll make sure that happens. I apologize you  
4 didn't get it right away. I normally when I do the  
5 entry tell them right away the results were we didn't  
6 find anything at all and then talk to them about if they  
7 want to know about any of the probes that we installed  
8 near their home. That's something we need to correct in  
9 our, going into the homes making sure we get those  
10 results to you right away. Verbally and later in  
11 writing. Okay.

12 MR. BAZDOR: Dave Bazdor, B-a-z-d-o-r. Sir, I'm  
13 kind of referring to her question, if something is found  
14 in a house, what can be done to eliminate that  
15 immediately to protect the residents that live there?  
16 Is there something that can be done? Do they have to  
17 move out of their house or what is the plan if something  
18 is found in an actual residence?

19 MR. FARYAN: Okay. That's a very good question. We  
20 set up a contingency plan and Megan's company and myself  
21 are involved in it as is the fire department. So if  
22 there is an alarm in the house or a concern, we would

1 notify the fire department first who would respond and  
2 then Hanover Park has some call out numbers to the  
3 contractors from BFI. They could even set up some  
4 lodging if necessary if some explosive vapors were  
5 found. So the plan has been set up and is ready to roll  
6 out if an alarm goes off or you're having a complaint or  
7 we find something in the home. We are ready to roll  
8 that out.

9                   As far as we did have a test activation  
10 when this one alarm did go off and the fire department  
11 did respond and then it was followed up by the  
12 contractors from BFI. So we would handle that under the  
13 contingency plan. Good question. Thank you.

14           MR. MILBURN: Jason Milburn, M-i-l-b-u-r-n. I was  
15 just curious, I have on your map here I have methane  
16 found on both sides of my house. I have a probe in my  
17 front yard and I also have a piece of PVC pipe sticking  
18 up with a cap on it. Can you tell me what that PVC pipe  
19 is with the cap on it?

20           MR. FARYAN: Okay. Yeah, Jason that will be taken  
21 down to the flush grade with the soil. That's just  
22 temporary that you're seeing that.

1           MR. MILBURN: It's kind of hard to be flush when  
2 they push the earth down around it and I have an  
3 eight-inch concrete hunk of iron in front of my house.  
4 The lawn mower is going to catch it, break it. My  
5 daughter is playing with the PVC pipe. It's kind of  
6 bothering me the fact that I've got dots on either side  
7 of my house.

8           MR. FARYAN: Okay. We just must have installed this  
9 one. If you can give me the exact address so I can get  
10 it taken care of. It should be flush mounted to the  
11 soil. It should also have a cap on it so your daughter  
12 cannot get to that PVC pipe. The PVC pipe is our  
13 temporary well that we put in there to monitor the gas  
14 and any ground water.

15          MR. MILBURN: So there is two different wells then  
16 because I have a blue dot and a red dot in front of my  
17 house and a red one on the south side of my house.

18          MR. FARYAN: What that is we put two wells at  
19 different depths. The S1 would be a shallower depth  
20 where we might have found a standing seam like this one  
21 to monitor and then we would have put one at a deeper  
22 depth too. Two wells at different depths, so we want to

1 monitor those different two zones. Those wells are  
2 temporary. They're not going to stay in forever. At  
3 least a year we want to monitor them, maybe a little  
4 longer. I'll make sure we get a note to them, the  
5 contractor STS to go take a look at that well  
6 installation.

7 MR. MILBURN: Can you explain this one to me also.  
8 There is pretty high percentages on either side of my  
9 house.

10 MR. FARYAN: Okay. You're over at, like, CP 30,  
11 right?

12 MR. MILBURN: I'm at the corner of Victor and  
13 Zeppelin.

14 MR. FARYAN: Okay. So what this is telling us here  
15 is right, that CP 30 we got a, it's a depth at 50 feet.  
16 We got a methane concentration of 9.4 percent. Okay.  
17 And that is certainly a concern of ours. That would be  
18 well above any explosive range. Again, being down very  
19 deep, though, 54 feet is where that's being monitored.  
20 Again, it's a protected zone.

21 MR. MILBURN: But then what about right here, the  
22 methane percent is 73.7, 71, 66? This is all, this is

1 my area. Explain it to me?

2 MR. FARYAN: I understand. What we're seeing is it  
3 is hotter closest to the landfill. It is tailing off a  
4 little bit as we go to the west and it's kind of coming  
5 to the south --

6 MR. MILBURN: 71 percent isn't tailing off.

7 MR. FARYAN: It's still a cause for concern. There  
8 is no doubt in our mind. It's not under a high pressure  
9 at all. It's a little bit above one PSI, so it's not  
10 like a pressurized pocket down there at all, but it is  
11 certainly a cause for concern that needs to be  
12 corrected. We have not seen it come up to the surface  
13 into the homes.

14 MR. MILBURN: Except for the probes that you guys  
15 are drilling in the ground, correct, with the loose PVC  
16 cap on it, being exposed in front of my house.

17 MR. FARYAN: Again, I will make sure that gets  
18 corrected right away. It should be on very tight with  
19 a, it has just a swedgelock fitting to collect samples  
20 and it should have a concrete cap over it that somebody  
21 couldn't access.

22 MR. MILBURN: Well, there is that one and then there

1 is one right next to it.

2 MR. FARYAN: Okay. When we're done here, I'll get  
3 one of the contractors to make sure it gets corrected.

4 MR. MILBURN: When we're done, you can come to my  
5 house with me and you can show me what you need to do.

6 MR. FARYAN: I'll have them over there tomorrow to  
7 make sure it gets corrected.

8 MR. MILBURN: What about tonight?

9 MR. FARYAN: It's dark right now. Really I will  
10 make sure it gets done tomorrow. After this is done,  
11 give me your address and make sure we get over there and  
12 get those two corrected.

13 MR. MANTON: Yes, Bill Manton, Village Trustee,  
14 Village of Hanover Park. You touched on, Steve, the  
15 concentration of gas being too rich to be explosive or  
16 combustible at this time. What is the concentration of  
17 gas, what does it have to get down to before it does  
18 become explosive?

19 MR. FARYAN: The lower explosive limit is what we're  
20 really concerned about for methane. At 2.5 percent of  
21 methane is explosive, but it also has to have some  
22 oxygen down in that zone to sustain an explosion. You

1 have to have some oxygen and at least 2.5 percent for an  
2 explosive environment. We're also concerned even with  
3 any methane obviously getting in homes.

4 MR. MANTON: I'm talking about in the ground I'm  
5 sure it's a concern to people. At that concentration it  
6 really isn't dangerous at this point?

7 MR. FARYAN: It's cause for concern, but it's not  
8 going to explode underground. There is not enough  
9 oxygen to support that. What we're mainly concerned  
10 about is that coming up into a home where it could  
11 collect and then a pilot light or something could  
12 ignite. We have not seen that. That's our main goal.  
13 The conditions aren't right for an explosion  
14 underground.

15 MR. PACKHAM: Robert Packham. Good presentation,  
16 but I think we've kind of touched upon the length of  
17 time that this is going to be going on. This is no  
18 quick fix. Could you give us an idea as to how long the  
19 monitoring will go, the post-monitoring, the  
20 remediation? Your best guess.

21 MR. FARYAN: Sure. The work plan and investigation  
22 is going to be wrapped up in 90 days, so that's going to

1 be due to us in March, the whole investigation, that's  
2 ongoing. Going on concurrently with that is I'm having  
3 them assemble their engineers and experts to come up  
4 with a plan on how to correct this, to give us a  
5 corrective action plan. And they'll start doing some  
6 work already on that, which they have, installing their  
7 new wells, improving their system as it stands now. So  
8 that's ongoing and will continue. We're going to be  
9 involved for several years myself. The long-term look  
10 is under the permit they have to do collection,  
11 operation, maintenance for a hundred years, so it will  
12 be ongoing even after I'm gone. Thank you.

13 MR. LEWIS: Todd Lewis with representative Randy  
14 Ramey's office. I was just asking a quick question.  
15 You said February 1st, 2008, is going to be the due date  
16 for any inquiries; is that correct?

17 MR. JOYCE: That's to make comments on the order.

18 MR. LEWIS: Are those comments going to be available  
19 to everybody here so that if someone didn't think --

20 MR. JOYCE: Yeah, we prepare a response to the  
21 comments and responsive summary and it will be  
22 available.



1           MR. HASA: I'm talking about the general ones where  
2 it has maybe like one or two on the street.

3           MR. FARYAN: General maps we can put up there. I  
4 think that's a good way to put that information to you.

5           MR. HASA: That will be updated monthly.

6           MR. FARYAN: Every week. At least weekly we'll  
7 update those maps. It's really changing quickly now in  
8 the field. We'll get it at least weekly. Right now  
9 it's getting updated.

10          MR. FANTAUZZO: Sam Fantauzzo. One last question  
11 that I have I don't think anybody touched on it yet and  
12 I don't know if you can answer this or not, but the  
13 other question that I have is related to what kind of  
14 impact is it going to have on the average homeowner in  
15 the area? I go to try to sell my house within the next  
16 six months what are the chances that I'm going to get  
17 the value of the home, what's it going to be long term,  
18 and who do I ask that question to?

19          MR. FARYAN: That's a very good question, Sam. I  
20 don't know if I can answer that. My goal is to get this  
21 completed as quickly as possible so your life can get  
22 back to normal and hopefully property values can, but I

1 don't know if I can answer that question. Is anybody  
2 capable of answering it at this point?

3 MS. FINNANDER: Karen Finnander, F-i-n-n-a-n-d-e-r.  
4 I can tell you anecdotally that this week my office was  
5 involved in a transaction with one of these effected  
6 homes. The seller decided to disclose what was  
7 happening in the neighborhood. The buyer said okay,  
8 we're fine with it. So right now this methane is not  
9 part of the Illinois Property Disclosure, so you know  
10 it's not something that is required by law that you  
11 disclose. However, it's always better to come clean and  
12 to have the buyer come to the table prepared.

13 I just always urge my buyers in any cir-  
14 cumstance to put them -- or my sellers to put themselves  
15 in the buyer's shoes. How would you feel if you were  
16 the person on the other end of the situation? Somebody  
17 walks away, fine, but better that they walk away before  
18 you're tied up with your own, your next purchase and  
19 just when you're done with things you can't get out of.  
20 Right now I don't really anticipate that this is going  
21 to be a major problem, but that's why we're all here  
22 today so that we can get all the information and to act

1 accordingly.

2 MR. JOYCE: Mike Joyce. I can add one thing.

3 There has been a number of studies at super fund sites  
4 and when the corrective action is taken and as it  
5 progresses the property values if they have gone down  
6 can bounce right back up. Once the problem is not --  
7 most of the time you don't even have to wait 'til it's  
8 fully corrected, but when it's well on its way to being  
9 corrected then. Those are sometimes situations that are  
10 much worse than this one. In this case no methane at  
11 all has been found in any homes, so as she indicated  
12 there is not a problem now and after the corrective  
13 action is taken there will definitely be no problem.

14 MR. TRIPPETT: Ken Trippett, T-r-i-p-p-e-t-t. I  
15 don't think you answered the gentleman's question.  
16 What's the success rate on the clean up?

17 MR. FARYAN: Success rate on getting methane from  
18 ground is that the question? Success rate, Donna you  
19 want to take that one? Donna has more experience with  
20 methane and landfills than I do.

21 MS. TWICKLER: I don't know if I can answer it  
22 directly, but you know, the options for cutting off the

1 flow of methane from landfills are very well  
2 established, so that shouldn't be a problem to put a  
3 barrier so that this cannot happen again.

4           As far as some of the things that we've  
5 been talking about is even putting air into the system  
6 once there is control on the other end to collect the  
7 air coming out, so actually putting pressure into the  
8 system. So in a case where you're putting pressure into  
9 the system, it should be moving the gas out. So the  
10 options are good as far as being able to collect the  
11 vast majority of methane.

12       MR. TRIPPETT: Okay. In the past when we've had  
13 that happen, what was the success rate at those sites?  
14 I know what you're planning on doing and I know what can  
15 be done. What was the success rate of getting it done  
16 at those sites, 50 percent, 75 percent?

17       MS. TWICKLER: Well, I haven't had this specific  
18 issue at this site before so I can't speak to that.

19       MR. FARYAN: I give you my word that we will make  
20 sure that this gets done successfully. That's why we're  
21 here. I'm not leaving until it's done successfully.  
22 That's why we have a legal agreement that they're going

1 to get it done successfully and there is stipulated  
2 orders and stipulated penalties in the records they need  
3 to get it completed also. So we have a real good legal  
4 document to drive this thing to being a success. I  
5 believe it will be and that's what I'm going to do.

6 MR. FANTAUZZO: I got to add one more comment. I'm  
7 sorry. Based on what you just said, it surely seems  
8 like if you're saying that the barrier may be the  
9 resolution, just a stupid question why wasn't the  
10 barrier planned to begin with?

11 MS. TWICKLER: Well, I can't answer that except that  
12 our Federal regulations -- just to back up a second. We  
13 have Federal regulations and how we work with the State  
14 is that we ensure their regulations are as strict as  
15 ours. And we did that like 12 years ago made sure the  
16 State of Illinois's regulations were as stringent as  
17 ours. And then the State is the one that puts in all  
18 the controls and the permit activities.

19 MR. FANTAUZZO: So the State failed us basically?

20 MS. TWICKLER: I'm not saying that. What I'm saying  
21 is that the regulations say no methane should leave the  
22 landfill boundaries over the lower explosive limit and

1 we all know that happened. So, you know, I can't  
2 address something that I wasn't specifically --

3 MR. FANTAUZZO: It's a little bit convoluted. I  
4 guess my point is what it sounds like to me unless I'm  
5 misunderstanding is that the bare minimum was okay,  
6 whether it be the State or whoever, the bare minimum was  
7 okay for them to put together these duct works or  
8 whatever you want to call them and now we're saying we  
9 can go back and put a barrier. In the meantime, you've  
10 got hundreds of homes that are being impacted because  
11 maybe, just maybe somebody took the shorter route or the  
12 cheapest route and now it's coming back to kick somebody  
13 in the teeth, is that a fair statement?

14 MR. FARYAN: Sam, if I can just, I can't agree with  
15 that, but what I will say is this south hill which is  
16 the cause of the problem was constructed before the  
17 permitting and all the requirements were to have liners  
18 and to have leachate collection and methane collection,  
19 so it was constructed a long time ago and that's really  
20 to me the cause of the problem. You have waste that's  
21 not in a liner that can migrate out into a permeable  
22 zone and it's because it's constructed back in the 70's

1 before our permits and all our requirements engineering  
2 controls were in place.

3 MS. TWICKLER: That's a really good point. These  
4 controls that we sort of made sure Illinois EPA had  
5 their standards up to that was 1993 and '94. I mean  
6 before that there weren't necessarily liner requirements  
7 in landfills and that's where the problem came from is  
8 an unlined area into a sand seam. So the rates are  
9 better now, but it's kind of correcting some of the  
10 problems that have happened.

11 MS. PEREZ: Karen Perez, P-e-r-e-z. What I'm  
12 concerned about is if they're supposed to be doing these  
13 monthly or yearly or weekly audits on these boundary  
14 pipes that they're supposed to be checking, how did this  
15 get so far wide in length and no one noticed it or  
16 nothing came up until now? Isn't it kind of a long wide  
17 distance for something that just came up like that?  
18 That doesn't come up like that, does it? Shouldn't this  
19 have been caught?

20 MR. FARYAN: My understanding, Karen, from the  
21 history back in 2000 they did see some landfill gas at  
22 the perimeter right near Discovery Park and actually had

1 a public comment period at that time to tell the public  
2 and try to correct that problem and they put some  
3 additional wells in at that time to try to correct the  
4 problem. Obviously it didn't work. There is some high  
5 water tables in the area and that maybe were blinding  
6 off the wells, but that system did not work. They have  
7 known about it from my history of the site at least  
8 since 2000. My involvement is short. I've just been on  
9 it since 2007. They did --

10 MS. PEREZ: I'm blown away that it could be so  
11 length, width, depth, and all of a sudden it's just like  
12 oh, my gosh. I just moved here five years ago, so I'm  
13 devastated by this. I did not expect something like  
14 this.

15 MR. FARYAN: There is not a requirement as I  
16 understand State law to do sampling off site. They just  
17 have to -- I did see one sample in 2006 on the  
18 right-of-way that showed some methane detection, that's  
19 what got me involved in the case, so that's one of the  
20 off site samples.

21 MS. PEREZ: They're going to clean it up now, but  
22 what is going to prevent this if they're not doing their

1 monitoring that they're supposed to as far as I'm  
2 concerned. I work QC. I'm quality control. I know.  
3 I'm sorry, I know the answers I have to -- I'm floored  
4 by this.

5 MS. BLANCO: My name is Sonja Blanco. My question  
6 is earlier we talked about the property values of our  
7 home effecting that, but my concern right now is with  
8 this methane gas in there, would it hurt -- would it  
9 effect our insurance premiums or would our homes  
10 eventually be uninsurable or something like that? Would  
11 it go that far and what would the State do for us to  
12 help us to protect us?

13 MR. FARYAN: Sonja, I don't know if I can answer  
14 that question. I apologize. Tom, are you an insurance  
15 specialist? I mean from my past experience at sites at  
16 least, Sonja, I've never run into homes that were not  
17 insurable. I've done a couple cases in Lisle and  
18 Downers Grove with ground water contamination, not  
19 methane. There wasn't anybody that was not able to get  
20 insurance from those cases.

21 MR. KRUEGER: Again, this is Tom Krueger from the  
22 EPA. I'm not an insurance law expert, but you know, my

1 initial reaction based on what I do know is if you have  
2 a clean bill of health, if your home has been screened  
3 and there hasn't been any detection of explosive gas in  
4 your home, especially if you also have a meter in place  
5 as a warning, I don't think an insurance company would  
6 really have any sort of legitimate basis to view you as  
7 uninsurable based on that potential.

8 I think again the fact that EPA is  
9 involved and other state regulatory agencies would be  
10 involved in attempting to solve this current problem  
11 would be another factor in favor of saying you have no  
12 insurance risk beyond what any ordinary homeowner would  
13 have.

14 MR. FANTAUZZO: They may forbid you to use your  
15 grill in the summertime!

16 MR. KRUEGER: I know that was a joke, but I want to  
17 emphasize they have been sampling at the surface and  
18 have not detected anything at the surface. I think  
19 based on what we know now, you're welcome to grill away,  
20 although it's a little cold.

21 MR. FARYAN: We haven't seen anything up at the  
22 surface.

1 MS. MIKESKA: Nancy Mikeska. Again, Mallard Lake  
2 Estates. I guess one thing that concerns me is that  
3 whenever there is a concern, health concern like this  
4 it's blasted throughout the whole newspaper. Everybody  
5 is aware of it. However, when there is a resolution and  
6 it's resolved like with the contemplated water it's  
7 never written up again. So of course if you go and  
8 Google our homes right now, you're going to see this  
9 methane gas issue, but yet we never write about the  
10 resolution. And I believe the reporter just left. I  
11 think he's from the Herald.

12 Again, they're going to blast this as  
13 being negative, but they're not going to put the  
14 positives that are occurring. And again, we're all  
15 concerned about selling our homes and about the  
16 potential for a recession and that. So I think one  
17 thing we need to do is as things are resolved, we need  
18 to keep that out there in the newspapers, the positives  
19 that are going on. I mean granted we're all concerned  
20 about our health, but secondly, it's going to be the  
21 resale of our homes.

22 MR. JOYCE: And we usually do like after a little

1 further down the road we usually do hold another little  
2 meeting like this to toot our horn and invite the press  
3 and try to announce that we've solved the problem or  
4 we're 90 percent there and stuff like that. We've done  
5 that many times at many different sites. That's about  
6 all we can do in that regard. This particular reporter  
7 we happen to know. She's pretty fair, so I think she'll  
8 mention the fact that we're well on our way to  
9 addressing the problem anyway.

10                   Can we take a brief interlude. If anybody  
11 has any formal comments that they would like to go on  
12 the record orally. As we mentioned before, you can make  
13 written comments all the way up 'til February 1st on the  
14 AOC, the Administrative Order On Consent, but if you  
15 don't like to type or write, you can make an oral  
16 comment tonight and our court reporter would be happy to  
17 record it. Just identify yourself and not questions.  
18 We're just here to hear what you think of the agreement  
19 itself or how we've addressed this problem.

20                   Anyone who would like to, stand up and  
21 make your comment.

22                   MR. PACKHAM: Robert Packham. Paragraph 16 of the

1 AOC indicates that the landfill is municipal. It's a  
2 regional dump. It was not a municipal. It is not in  
3 Hanover Park. It is unincorporated. Always was.  
4 Always will be.

5 MR. JOYCE: Okay. We got at least one. If there  
6 are no others, we can continue with the questions as far  
7 as I'm concerned.

8 Any more questions for Steve or Tom?

9 MS. CYWIN: I just --

10 MR. JOYCE: For Steve?

11 MS. CYWIN: It says explosive between the lower  
12 limit is five percent of methane. Is it five percent or  
13 two percent?

14 MR. FARYAN: It's two and-a-half percent.

15 MS. CYWIN: It's five in this document. You might  
16 want to check paragraph 23, page six of the document  
17 because it has five percent of the higher limit, upper  
18 limit is 15 percent.

19 MR. JOYCE: You're catching all the mistakes. Any  
20 other questions?

21 MS. FORD: We hope that this problem will be  
22 solved. If it's not down the road, three, four years

1 down the road and if this all comes back, do they buy  
2 out our houses?

3 MR. FARYAN: That has never been done in any of the  
4 projects that I've had to work at all, that we've not  
5 had a successful clean up where houses had to be bought  
6 out, so I don't see that as an alternative. I think  
7 this problem can be solved. I know this can be solved.  
8 We've solved it in a number of other projects. We have  
9 the technology to do it. We have an order to do it.  
10 We're going to make them do it. We're going to get it  
11 done.

12 MR. TRIPPETT: You said that the EPA and BFI is  
13 cleaning the mess up because that's there -- what if,  
14 God forbid, BFI goes under, who is going to make sure  
15 this gets taken care of?

16 MR. FARYAN: This particular case BFI is owned by  
17 Allied Waste, which is a very large waste company. And  
18 there is also a large fund that's set aside for the  
19 operation, maintenance, and post-closure of the landfill  
20 that's required under the permit. So that's another  
21 alternative, there is a large million dollar fund that's  
22 required to maintain and operate everything at the

1 landfill, so that's also in place.

2 MR. MASCIOLA: I would also say the land owner, the  
3 DuPage County Forest Preserve District.

4 MR. FANTAUZZO: Which would be our tax dollars  
5 anyway.

6 MS. CYWIN: So we end up paying for it anyway.

7 UNIDENTIFIED SPEAKER: So either our taxes are going  
8 up or our BFI bill is going up!

9 MR. JOYCE: I guess we can call the meeting closed  
10 then if there are no further questions or comments.

11

12

13 (Which were all the proceedings  
14 had at the hearing of the  
15 above-entitled cause.)

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22

1 STATE OF ILLINOIS )  
 ) SS  
2 COUNTY OF DU PAGE )

3

4

5 I, LYNN M. EVANS, C.S.R., a Notary Public  
6 duly qualified and commissioned for the State of  
7 Illinois, County of DuPage, do hereby certify that LYNN  
8 M. EVANS, C.S.R., reported in shorthand the proceedings  
9 had and the testimony taken at the public hearing of the  
10 above-entitled cause, and that the foregoing transcript  
11 is a true, correct, and complete report of the entire  
12 testimony so taken at the time and place hereinabove set  
13 forth.

14

15

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18 My Commission expires:  
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