

108TH CONGRESS
2D SESSION

H. R. 5387

To direct the Administrator of the Environmental Protection Agency to provide remedial actions and other assistance to affected residents near the Wauconda Sand and Gravel Superfund Site.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2004

Mr. CRANE introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Administrator of the Environmental Protection Agency to provide remedial actions and other assistance to affected residents near the Wauconda Sand and Gravel Superfund Site.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wauconda Technical
5 and Environmental Remediation Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Wauconda Sand and Gravel Superfund
2 site, included on the National Priorities List (Sep-
3 tember, 1983) by the EPA, is a former sand and
4 gravel operation in Lake County, Illinois.

5 (2) In 1941, the Wauconda Sand and Gravel
6 Pit in the Village of Wauconda in Lake County, Illi-
7 nois, began operation as a landfill.

8 (3) According to a health consultation report
9 released by the Agency for Toxic Substances and
10 Disease Registry, this landfill accepted an estimated
11 5.4 million cubic yards of waste that included resi-
12 dential garbage, construction debris, and industrial
13 waste and sludge until it closed in July, 1978.

14 (4) The site consists of roughly 74 acres, which
15 includes a 47-acre non-permitted landfill and a 6-
16 acre landfill permitted by the Illinois environmental
17 protection agency.

18 (5) After receiving information concerning the
19 dumping of large quantities of polychlorinated
20 biphenyl, the EPA and the Illinois environmental
21 protection agency started investigations into the pos-
22 sibility of chemicals leaking from the site.

23 (6) The EPA, after receiving the results from
24 those investigations, placed the Wauconda Sand and

1 Gravel pit on the National Priorities List in Sep-
2 tember, 1983.

3 (7) On September 15, 2003, the Lake County
4 Health Department, Illinois, started sampling 17
5 residential wells east of the site. The results of the
6 testing of these wells showed vinyl chloride contami-
7 nation in 7 wells, with the highest level of contami-
8 nation being 3.6 micrograms per liter.

9 (8) On January 13, 2004, the Lake County
10 Health Department held a public meeting to discuss
11 these results with local residents. The EPA started
12 negotiating with potentially responsible parties,
13 named the Wauconda Task Group, to provide for the
14 testing of 121 additional wells in the Hillcrest sub-
15 division in Wauconda and to provide bottled drink-
16 ing water to Wauconda residents.

17 (9) After completion of the testing in March,
18 2004, 81 of the 121 residential wells tested showed
19 vinyl chloride contamination.

20 (10) The results were discussed with local resi-
21 dents and the Wauconda Task Group provided bot-
22 tled drinking water to Wauconda residents whose
23 wells tested above 1 microgram of vinyl chloride per
24 liter.

1 (11) The Wauconda Task Group, under the
2 oversight of the EPA, was also given the opportunity
3 to expand testing sites.

4 **SEC. 3. ASSISTANCE.**

5 (a) IMMEDIATE ASSISTANCE.—The Administrator of
6 the EPA shall—

7 (1) provide bottled drinking water to Wauconda
8 residents served by residential wells with any con-
9 tamination of vinyl chloride; and

10 (2) increase the testing and monitoring of wells
11 of Wauconda residents.

12 (b) CONTINUING RESPONSIBILITY.—Nothing in this
13 Act may be construed to relieve the Administrator, any
14 other head of a Federal agency, or a potentially liable
15 party of any legal liability with respect to the cleanup of
16 the Wauconda Sand and Gravel Superfund site.

17 (c) REMEDIAL ASSISTANCE.—The Administrator
18 shall—

19 (1) conduct a study to examine possible long
20 term solutions to remediate the Wauconda Sand and
21 Gravel Superfund site and to provide a clean drink-
22 ing water source for Wauconda residents; and

23 (2) make recommendations and implement a
24 long term solution based on such recommendation to

1 provide a clean drinking water source for such resi-
2 dents.

3 (d) COMPREHENSIVE RESOLUTION.—The Adminis-
4 trator shall work with the heads of other appropriate Fed-
5 eral and State agencies to seek a comprehensive resolution
6 to both the short term and long term environmental and
7 health problems related to the Wauconda Sand and Gravel
8 Superfund site.

9 (e) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section,
11 \$6,000,000 from the Hazardous Substance Superfund es-
12 tablished under section 9507 of the Internal Revenue Code
13 of 1986.

14 **SEC. 4. DEFINITIONS.**

15 For purposes of this Act:

16 (1) WAUCONDA RESIDENT.—The term
17 “Wauconda resident” means an individual living
18 within a 1.5-mile radius of the Wauconda Sand and
19 Gravel Superfund site.

20 (2) EPA.—The term “EPA” means the Envi-
21 ronmental Protection Agency.

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