



Extend oversight period for landfill

Daily Herald Editorial Board

Published: 7/26/2010 6:28 PM

When Land and Lakes Co. received permission 29 years ago to operate a landfill west of Milwaukee Avenue south of Aptakisic Road in what is now Buffalo Grove, there were concerns about flooding and the potential for groundwater contamination.

Today, as the Illinois Environmental Protection Agency considers whether to free Land and Lakes from restrictions to monitor the environmental impact of the facility, there is no evidence that the groundwater is contaminated, according to the state EPA.

But that doesn't mean there aren't questions.

There are lots of questions.

Among them, how well can the public trust that the state EPA itself has been performing its due diligence to protect the public health?

We believe the questions are serious enough that the agency should extend the monitoring period for the former landfill, which still is home to a composting facility and a landscape waste transfer station.

As Staff Writer Marni Pyke reported Monday, recently uncovered documents expressed concern about contaminants previously found in the groundwater and about other deficiencies at the site.

Environmental attorney Shawn Collins, who specializes in groundwater contamination, warned that, "Any landfill operated in the 1980s is a potential threat to the environment."

Krishna Reddy, director of the Geotechnical and Geoenvironmental Engineering Laboratory at the University of Illinois at Chicago, agreed that "more investigation is needed to find out exactly what is happening in the landfill."

Collins said recently uncovered documents show the state has been lax in regulating the landfill, and he describes the threat in frightening clarity:

"It doesn't matter that not all of the chemicals detected in the groundwater are known to be dangerous, or that the known-to-be-dangerous chemicals that were detected in groundwater were not detected at high concentrations," he said. "The point is that the detection in groundwater of any landfill chemicals means that chemicals are leaking out of the landfill and therefore, that any chemical ever dumped there can leak out - potentially in dangerous concentrations."

As for reassurance, officials at Land and Lakes and company president James Cowhey, also the mayor of Lake Forest, chose not to respond to repeated requests for comment.

There is a potential for problems at this site, serious problems. And there are too many questions about how seriously that potential has been taken.

Now is not the time to end the oversight. If anything, now is the time to strengthen it.

If the IEPA cares about the public health, it will extend the monitoring period.

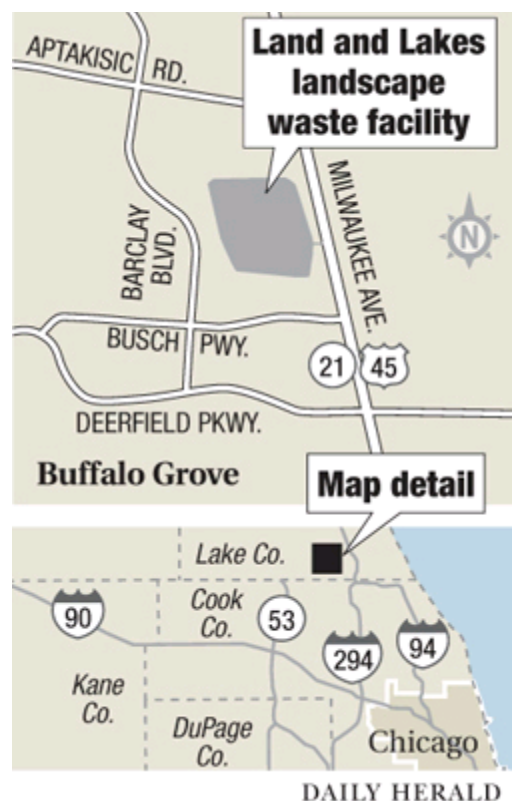
Daily Herald

Big Picture . Local Focus

Landfill reports raise questions as oversight period is ending

By Marni Pyke | Daily Herald Staff

Published: 7/26/2010 12:00 AM | Updated: 7/26/2010 3:53 PM



These days, the former Land and Lakes landfill is best known for complaints of noxious odors from a composting facility.

Yet 29 years ago, when Land and Lakes Co. received permission to operate the landfill in south Lake County, it triggered concerns about flooding and groundwater contamination.

Driving by the shops and park land on Milwaukee Avenue in Buffalo Grove, you couldn't tell a landfill is nearby or that a 15-year oversight period imposed by the Illinois Environmental Protection Agency is up this month.

But as the agency ponders whether to free Land and Lakes from monitoring restrictions or extend them, some experts say the site deserves more scrutiny based on recently uncovered documents citing contaminants previously found in the groundwater and other deficiencies at the former landfill.

Environmental attorney Shawn Collins says the paper trail indicates the site is a poster child for lax state regulations and standards for landfills across Illinois.

"Any landfill operated in the 1980s is a potential threat to the environment because of typically inadequate landfill construction and the kinds of nasty things that often got dumped during that era," said Collins, who specializes in groundwater contamination.

Illinois Environmental Protection Agency officials, however, point out that recent tests show groundwater wells free of contaminants at Land and Lakes.

And regarding past problems, "those issues were dealt with some time ago - they are no longer issues," IEPA spokeswoman Maggie Carson said.

That's not the case in Buffalo Grove, where officials are feuding over a 2005 preliminary report by Shaw Environmental Inc. raising environmental questions about the landfill.

The IEPA asserted that the site was properly monitored. However, Carson noted that it had been approved under regulations that are less stringent than those for new landfills.

More Coverage

Related documents

- [A compilation of responses to Lisa Stone's FOIA on landfill, including the full Shaw Report.](#)

Stories

- [OUR VIEW: Extend oversight period for landfill](#) [7/26/10]
- [Did Buffalo Grove board drop the ball](#)

- [over landfill pollution questions?](#) [7/26/10] Land and Lakes officials did not respond to repeated phone calls or a request in person for an interview.
- [Who runs Land and Lakes?](#) [7/26/10]

In 1981, Park Ridge-based Lake and Lakes Co., whose president is Lake Forest Mayor James Cowhey, received a state permit to operate the 32-acre landfill on Milwaukee Avenue north of Lake-Cook Road. The application stated it would accept landscape, commercial, industrial and demolition waste.

Some nearby towns were wary, including Lincolnshire and Riverwoods. The Riverwoods Residents Association wrote that the majority of the village "relies on upon wells for our drinking water and we do not feel that there can ever be adequate safeguards ... to prevent contamination of our sole source of water."

There are a number of private wells south and southeast of the site.

Land and Lakes mounted a robust defense. "We believe that this site can provide a very needed public service to the community and it is the intention of Land and Lakes Co. to conduct an operation that will be a credit to the county," Cowhey wrote.

Lake County called the location "far from ideal for landfill use," partly because of its proximity to the floodplain - a fact Land and Lakes Co. disputed. Landfills aren't permitted on floodplains in Lake County. However, the county ultimately signed off on the plan, noting there was a need for landfills in the area.

Lake County sampled some private wells around the landfill in the 1980s and 1990s and found no groundwater issues, health department solid waste specialist Michael Kuhn said recently.

The landfill stopped accepting waste in spring 1994. In 1995, Land and Lakes entered into a post-closure care program that required the company to monitor groundwater and report back to the IEPA.

Land and Lakes also opened a compost facility at the site in 1990 and later a landscape waste transfer station where material is stored temporarily before being taken elsewhere. There have been a number of complaints about foul odors from the composting operation and the company intends to phase it out this year.

In 2005, Buffalo Grove considered annexing and possibly purchasing the landfill as a joint venture with the Buffalo Grove Park District to develop a complex with playing fields, shops and offices. The village hired Shaw Environmental of St. Charles to evaluate the site.

In the preliminary report obtained through a Freedom of Information Act request, Shaw experts pointed to contaminants such as vinyl chloride previously found in groundwater wells, recommended more monitoring wells, questioned if there was a buildup of methane gas on the site, and said there was evidence the landfill had been constructed outside its permitted borders.

Shaw advised more environmental tests at the landfill but the development idea lost steam and the report was shelved. In 2008, the village annexed the property.

The IEPA is supposed to decide this month whether to approve or deny Land and Lakes' request to end the oversight period, which means it no longer is required to test groundwater or inspect the cap on top of the landfill.

Buffalo Grove Trustee Lisa Stone, who has criticized Land and Lakes because of the odor problems, thinks the report reveals significant environmental problems with the landfill and wants monitoring to continue.

"The most important thing is the health and safety of people," she said.

Chemical reactions

IEPA documents obtained by the FOIA from the 1990s and 2000s indicate various issues at the landfill.

- **Data gap.** The earliest groundwater data to be found from the landfill is from 1988, leaving a void of several years. IEPA officials said they're unclear why the gap exists.
- **Toxic contaminants.** Starting in 1996, IEPA memos speak of chemicals in landfill wells ranging from trace amounts to more significant levels. The contaminants include the solvent 1,2-dichloroethylene and substances

used in manufacturing - benzene, phenol and vinyl chloride, a carcinogen.

Land and Lakes has stated the contaminants came from sources off site, such as new development in the area, or have called the findings insignificant.

- **Liner issues?** In May 2002, the Lake County Health Department's Kuhn told the IEPA that "the current integrity of the (landfill) liner is not known and the potential for contaminants migrating from the landfill exists." However, Kuhn said recently his statement was a hypothetical one. "With the 10-foot clay liner that it's supposed to have, it should stay intact," he said.
- **Uncertainty about groundwater flow.** A July 1992 IEPA memo states the direction of groundwater has not been identified although other documents note it travels from west to east. The memo also noted "this facility may be impacting groundwater."
- **Faulty wells.** Groundwater wells are an important indicator of what's going on in a sealed landfill. In June 1993, an IEPA memo mentions flaws in two groundwater wells, saying they aren't sealed properly. The monitoring program "does not accurately detect releases that may occur" in some locations, it stated.
- **Boundary disputes.** The landfill property owners, Prairie Recreational Development, told the IEPA in 1995 they thought the landfill was built on property outside its permitted boundaries. Land and Lakes, which was leasing the land, called the statements untrue attributing them to a business dispute between the two companies.

IEPA Solid Waste Unit Manager Chris Liebman said the property owners likely were correct and building past a boundary is not uncommon in older landfills. While unsure what was done to resolve the issue, Liebman said he had no doubt it was taken care of. "It wasn't swept under the rug," he said.

- **Discrepancies over what was dumped.** Although some permit applications stated the landfill only accepted clean construction and demolition debris, in early 1998, an IEPA official wrote that empty paint cans, 5-gallon buckets and other items were found at the landfill. These are not clean construction and demolition debris, he stated.

A related January 1999 IEPA memo said "it is not clear what type of wastes were accepted at the facility."

The Shaw study also reported the same discrepancies. The consultants wrote this "was an alarming indicator that the facility may not be properly designed or regulated."

Liebman said the memos regarding clean construction debris - which consists of concrete, stone, bricks and clean soil - show the agency was doing its job by checking what went into the dump and requiring Land and Lakes to monitor it appropriately.

Past and future

IEPA solid waste and groundwater staff said they're confident any problems involving chemicals in the groundwater wells were resolved.

"Although we can't look at data from before 1988, the agency believes that evidence of contamination would remain and would show up in subsequent sampling," Carson said in an e-mail.

The source of the chemicals has never been pinned down, officials noted.

As for Riverwoods, where residents worried about contaminated groundwater in 1981, the landfill hasn't surfaced as an issue, Mayor William Kaplan said. While the majority of homeowners are on Lake Michigan water now, there are some on private wells, he noted.

University of Illinois at Chicago environmental engineering professor Krishna Reddy called the Shaw report and IEPA memos problematic.

"More investigation is needed to find out exactly what is happening in the landfill," said Reddy, director of UIC's Geotechnical and Geoenvironmental Engineering Laboratory.

Carcinogens such as vinyl chloride are more common in municipal solid waste landfills, not in demolition and construction waste sites, said Reddy. He added landfills that handle chemicals have more complex liner systems,

gas and leachate collection systems than construction and demolition debris facilities.

Collins contends the documents show the state has been lax in regulating the landfill.

"It doesn't matter that not all of the chemicals detected in the groundwater are known to be dangerous, or that the known-to-be-dangerous chemicals that were detected in groundwater were not detected at high concentrations," Collins said. "The point is that the detection in groundwater of any landfill chemicals means that chemicals are leaking out of the landfill, and therefore that any chemical ever dumped there can leak out - potentially in dangerous concentrations."

U.S. EPA District 5 environmental engineer Paul Ruesch, however, also noted that the latest groundwater sampling at the landfill did not indicate any statistically significant release of any troublesome compounds. He also said the methane gas monitoring system was sound.

"There's nothing that rises to the level of U.S. EPA involvement based on what we've seen from the state and Lake County," Ruesch said. "We're confident the bases are covered here as far as releases to groundwater."