

## **Attachment #1**



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
111 NORTH CANAL STREET  
CHICAGO IL 60606-7206

Planning Branch  
Environmental Formulation Section

Dear,

The Chicago District is preparing a National Environmental Policy Act (NEPA) document on impacts of a planned 20-year Dredged Materials Management Plan (DMMP) for the Calumet River and Harbor. Possible alternatives include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for dredged material, and the possible reuse of sediments from the existing CDF. A map of the project area is enclosed.

I am particularly interested in your comments regarding impacts to aquatic habitat and threatened or endangered animals. Please mark your reply to the attention of Mr. Peter Bullock, U.S. Army Corps of Engineers, 111 North Canal Street, Suite 600, Chicago, Illinois 60606. Questions may be directed to Mr. Bullock at 312/846-5587, or at [peter.y.bullock@usace.army.mil](mailto:peter.y.bullock@usace.army.mil). Your assistance is appreciated.

Sincerely,

*151*

Susanne J. Davis, P. E.  
Chief of Planning Branch

Enclosure

*for regulating agencies*

MFR: Routine scoping letter/as required by NEPA.

Bullock PM-PL-E *03/09/09*

*3/5/09*  
~~Fleming PM-PL-E~~

Ott PM-PM *NM 3/6/09*

Davis PM-PL-E *SPD 3/10/09*



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111 NORTH CANAL STREET  
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Planning Branch  
Environmental Formulation Section

Dear,

The Chicago District is preparing a National Environmental Policy Act (NEPA) document on impacts of a planned 20-year Dredged Materials Management Plan (DMMP) for the Calumet River and Harbor. Possible alternatives include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for dredged material, and the possible reuse of sediments from the existing CDF. A map of the project area is enclosed.

The project area is an urbanized river and harbor system heavily modified by industrial construction and dredging. The Illinois SHPO will be consulted and is expected to concur with my staff's determination that the project will not affect archaeological or historical properties.

This determination is provided in accordance with the requirements of the National Historic Preservation Act and 36 CFR 800. Please mark your reply to the attention of Peter Bullock; U.S. Army Corps of Engineers, 111 North Canal Street, Suite 600, Chicago, Illinois, 60606. Questions may be directed to Mr. Bullock at 312/846-5587 or at [peter.y.bullock@usace.army.mil](mailto:peter.y.bullock@usace.army.mil). Thank you for your assistance.

Sincerely,

*12/*

Susanne J. Davis, P. E.  
Chief of Planning Branch

Enclosure

*for initials*  
MFR: Routine scoping letter *f* as required by NEPA.

Bullock PM-PL-E *03/5/09*  
~~Fleming PM-PL-E~~ *3/5/09*  
Ott PM-PM *MW 3/6/09*  
Davis PM-PL-E *SJD 3/10/09*

## Calumet Harbor and River DMMP NEPA Scoping Letter Distribution List

### FEDERAL AGENCIES

Advisory Council on Historic Preservation  
1100 Pennsylvania Ave. NW  
Suite 809  
Washington, DC 20004  
ATTN: Karen Theimer Brown

U.S. Army Corps of Engineers  
4735 E. Marginal Way S.  
Seattle, WA 98134-1385  
ATTN: Horace Foxall, PM-MB

Executive Office, MSO-Chicago  
U.S. Coast Guard  
215 W. 83<sup>rd</sup> St. Suite D  
Burr Ridge, IL 60521

### STATE AGENCIES

Todd Retting  
Office of Resource Reivew  
Illinois DNR  
One Natural Resource Way  
Springfield, IL 62702-1271

Illinois EPA  
Water Pollution Division  
1001 N. Grand  
Springfield, IL 62794  
ATIN: Bruce Yurdin

Robert Schanzle  
Illinois DNR - Realty/Planning  
One Natural Resource Way  
Springfield, IL 62702-1271

Illinois Hist. Pres. Agency  
1 Old State Capitol Plaza  
Springfield, IL 62701  
ATIN: Anne Haaker

Illinois DNR/OWR  
36 S. Wabash Ave.  
Room 1415  
Chicago, IL 60603  
ATIN: Dan Injerd

### LOCAL AGENCIES AND LIBRARIES

Chicago Public Library  
400 S. State St.  
Chicago, IL 60605  
ATIN: Government Publications

Vodak East Side Branch Library  
10542 S. Ewing Ave.  
Chicago, IL 60617

South Chicago Branch Library  
9055 S. Houston Ave.  
Chicago, IL 60617

Hegewisch Branch Library  
3048 East BOth st.  
Chicago, IL 60633



CITY OF CHICAGO

Dept. of Environment  
30 N. La Salle St. 25th floor  
Chicago, IL 60602  
AnN: Sadhu Johnston

Chicago Park District  
541 N. Fairbanks 5th floor  
Chicago, IL 60611  
Attn: Julia Bachrach

Chicago Park District  
541 N. Fairbanks 5th floor  
Chicago, IL 60611  
Attn: Tim Mitchell

ORGANIZATIONS

Chicago Audubon Society  
North Park Village  
5801-C N. Pulaski  
Chicago, IL 60646

Chicago Historical Society  
1601 N. Clark st.  
Chicago, Illinois 60614

Alliance for the Great Lakes  
17 N. State St.  
Suite 1390  
Chicago, IL 60602

Sierra Club  
200 N. Michigan Ave.  
Suite 505  
Chicago, IL 60601

Landmarks Preservation Council of Illinois  
53 W. Jackson Suite 752  
Chicago, IL 60604-3699  
ATTN: David Bahlman

Friends of the Parks  
55 E. Washington Suite 1911  
Chicago, IL 60602-2174  
ATTN: Erma Tranter

## TRIBES/TRIBAL ORGANIZATIONS

Kickapoo of Oklahoma Bus. Committee  
P.O. Box 70  
McCloud, OK 74851  
ATTN: Mr. Thomas Garza, Chairman

Kickapoo Traditional Tribe of Texas  
Box HC 19700  
Eagle Pass, TX 78853  
ATTN: Mr. Raul Garza, Chairman

Miami Tribe of Oklahoma  
P.O. Box 1326  
Miami, OK 74355  
ATTN: Ms. Julie Olds

Citizen Potawatomi Nation  
1901 S. Gordon Cooper Dr.  
Shawnee, OK 74801  
ATTN: Ken Kraft, archaeologist

Huron Potawatomi Tribal Office  
2221 One-and-a-half Mile Rd.  
Fulton, MI 49052  
ATTN: Laura Spur, Director

Prairie Band Potawatomi Tribal Council  
16281 Q Rd.  
Mayetta, KS 66509  
ATTN: Zachariah Pahmahmie

Kickapoo of Kansas Tribal Council  
P.O. Box 271  
Horton, KS 66439  
ATTN: Ms. Bobbi Darnell, Chairperson

Miami Nation in Indiana  
P.O. Box 41  
Peru, IN 46970  
ATTN: Brenda Hartleroad

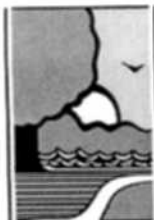
Midwest SOARRING Foundation  
3013 S. Wolf Rd. #192  
Westchester, IL 60154  
ATTN: Joseph Standing Bear

Forest County Potawatomi Exec. Council  
P.O. Box 340  
Crandon, WI 54520  
ATTN: Clarice Ritchie Werle

Hannahville Potawatomi Comm. Council  
N 14911 Hannahville B1 Rd.  
Wilson, MI 49896-9728  
ATTN: Mr. Kenneth Meshiguad, Chairman

Pokagon Band of Potawatomi Indians  
P.O. Box 180  
Dowagiac, MI 49047  
ATTN: Jefferson Ballew

## **Attachment #2**



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor

Marc Miller, Acting Director

March 23, 2009

Ms. Susanne J. Davis, P.E.  
Department of the Army  
Chicago District, Corps of Engineers  
111 North Canal Street  
Chicago, Illinois 60606-7206

Attn: Peter Bullock

Dear Ms. Davis:

Reference is made to your recent letter, received here on March 13, 2009, concerning the Chicago District's proposal to prepare a National Environmental Policy Act (NEPA) document evaluating the impacts of a 20-year Dredged Material Management Plan for the Calumet River and Harbor. Options to be considered include expansion of the existing Confined Disposal Facility (CDF), the use of alternative sites for material placement, and the reuse of sediments from the CDF. The area of study appears to be centered in the northwest quarter of Section 18, Township 37 North, Range 15 East, Cook County, and encompasses a radius of approximately two miles.

The Illinois Natural Heritage Database contains numerous records of state threatened/endangered species and natural areas within the project area, many of them associated with Lake Calumet and Wolf Lake. However, no assessment of potential project-related impacts is possible without more detailed information about the locations of the specific sites being considered for dredged material placement. While significant fisheries impacts appear unlikely given the degraded quality of the Calumet River, sediment placement options will need to be reviewed on a case-by-case basis.

The Department will be pleased to coordinate further with your agency as more information becomes available on the specific dredging and placement plans. Please contact me at 217-785-4863 if we can be of assistance.

Sincerely,

Robert W. Schanzle  
Permit Program Manager  
Office of Realty and Environmental Planning

RWS:rs

cc: IDNR/OWR (Injerd), IDNR/ORC (Rung, Kirk), IEPA (Yurdin), USFWS (Rogner), USEPA (Pierard)



## Miami Tribe of Oklahoma

P.O. Box 1326 Miami, Oklahoma 74355

Ph: (918) 542-1445 Fax (918) 542-7260



April 8, 2009

Army Corps of Engineers  
Department Of The Army  
Chicago District  
111 North Canal Street  
Chicago, IL 60606-7206

**Re: Planned 20 year Dredged Materials Management Plan for the Calumet River and Harbor.**

Dear Mr. Cummins:

Aya, kikwesitoole. My name is Jake Long and I am the Acting Cultural Resources Director for the Miami Tribe of Oklahoma. In this capacity I am the Miami Nation's point of contact for all NAGPRA and Section 106 issues.

In reference to your NEPA documentation request, the Miami Nation is not currently aware of existing documentation directly linking Indian Religious Sites to the proposed work at the above referenced sites. However, as these sites are within the aboriginal homelands of the Miami Nation, should any Native American items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) be discovered during this construction project the Miami Nation requests immediate consultation with the State Historical Society and all such related entities.

The Miami Nation offers no objection to the proposed construction at this time. However, should human remains and/or objects be uncovered please contact me at 918-542-1445, or by mail at the address listed above, to initiate consultation.

Sincerely,

Jake Long  
Acting Cultural Resources Director  
Miami Nation



City of Chicago  
Richard M. Daley, Mayor

Department of Environment

Suzanne Malec-McKenna  
Commissioner

Twenty-fifth Floor  
30 North LaSalle Street  
Chicago, Illinois 60602-2575  
(312) 744-7606 (Voice)  
(312) 744-6451 (FAX)  
(312) 744-3586 (TTY)

<http://www.cityofchicago.org>

April 16, 2009

U.S. Army Corps of Engineers  
Mr. Peter Bullock  
111 N. Canal Street  
Suite 600  
Chicago, IL 60606



Re: NEPA document concerning impacts of the 20-year Dredged  
Materials Management Plan for the Calumet River and Harbor

Dear Mr. Bullock:

Thank you for the opportunity to respond to the Army Corps' recent letter about the Dredged Materials Management Plan (DMMP). It is my understanding that the Army Corps of Engineers is evaluating various sites for the dredged material, and possible reuse of sediments from the existing Confined Disposal Facility. The Department of Environment (DOE) would like to be involved in the decision-making process for both site selection and sediments reuse.

DOE asks the Corps to ensure that such decisions will be based on active input from wildlife specialists at the Illinois Department of Natural Resources and the U.S. Fish and Wildlife Service. Of particular concern is protection of migratory and state-listed birds that nest and forage throughout the Calumet area. DOE asks that any practices acknowledge these populations and be modified to protect them to the extent possible and/or required by law. Also, the City has a Calumet Open Space Reserve Plan, which preserves 3,900 acres of open space throughout the region. Disturbance of these sites whether through noise, runoff, hydrologic disruption, etc. will be of concern to DOE.

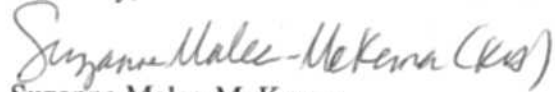
In addition, in 2006 DOE and various partners developed the Calumet Ecotox Protocol, a guidance document for determining ecotoxicological risks to flora and fauna in Calumet. If existing sediments are to be reused in open spaces or sensitive habitat areas, the City would recommend using this protocol to determine whether the sediments pose a risk to ecological receptors, and undergo review by the Ecotox Protocol Technical Team.

Should Brownfields sites be selected for the proposed work, DOE's Urban Management and Brownfields Redevelopment division should be involved.



As you move forward with your NEPA review, please contact DOE for further input and analysis. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Malec-McKenna (KS)".

Suzanne Malec-McKenna  
Commissioner

cc: Aaron Durnbaugh, Deputy Commissioner  
Kimberly Worthington, Deputy Commissioner  
Nicole Kamins, Program Director



City of Chicago  
Richard M. Daley, Mayor

Department of Environment

Suzanne Malec-McKenna  
Commissioner

2nd Floor  
30 North LaSalle Street  
Chicago, Illinois 60602-2575  
(312) 744-7606 (Voice)  
(312) 744-6451 (FAX)  
(312) 744-3586 (TTY)

<http://www.cityofchicago.org>

*MD 2/4/10*

January 6, 2010

Roy Deda  
Deputy for Project Management  
Army Corps of Engineers, Chicago District  
111 N. Canal St., Suite 600  
Chicago, IL 60606-7206

Re: Calumet Harbor and River Dredge Material Management Plan

Dear Mr. Deda, *Roy,*

The Department of Environment (DOE) appreciates the opportunity to participate in the Calumet Harbor and River Dredge Material Management Plan to address dredged sediment management. DOE would like to be proactive in its assistance regarding this important project for the region.

Dredged sediments have a potential reuse, but several challenges have been identified for their potential reuse on City redevelopment sites. These sites need to meet appropriate regulatory objectives commensurate with the end property use after placement of sediments. DOE routinely manages its brownfield redevelopment sites through the Illinois Environmental Protection Agency's (IEPA) Site Remediation Program (SRP) in order to obtain a No Further Remediation letter for the planned end use. Use of these sites for a proposed sediment reuse will require careful planning to ensure that it is protective of human health and the environment. Furthermore, open space sites are of particular concern and any proposed sediment management requires careful surface water management and site planning to maintain the natural setting and ecological objectives. As such, DOE discourages the use of open spaces in the Calumet region, particularly those identified in the Calumet Open Space Reserve.

In addition, the DOE and IEPA have entered into an Intergovernmental Agreement which establishes reuse standards for the safe and appropriate reuse of soil and rubble between City-owned sites. These reuse standards are based on the IEPA's Tiered Approach to Corrective Action Objectives (TACO) clean up values (see attached). TACO, in addition to the SRP requirements, guides DOE on the standards for which material is suitable for reuse.

DOE believes there is a potential for beneficial reuse for the dredged sediments with written approval from IEPA. IEPA continues to demonstrate its support for reuse initiatives through its work with the City on soil and rubble reuse, the Illinois Department of Natural Resource (IDNR) for reuse of Lake Peoria sediments and the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) for biosolids reuse. IDNR (Dr. John Marlin





(217-785-8771) lead scientist) worked with DOE in evaluating Lake Peoria sediment sample test results and prepared a human health risk assessment to determine appropriate reuse. MWRDGC (Dr. Thomas Granato (312-751-3040) Deputy Director of Monitoring and Research) worked with DOE in evaluating biosolids test sampling results, monitoring, reporting requirements and human health risk assessment. DOE recommends contacting both agencies regarding its evaluation and implementation of material reuse.

At this time, DOE has concerns regarding the construction and siting of a new confined disposal facility (CDF) and looks to discuss other options including the reuse of sediments to allow for reclamation of the existing CDF. A new CDF will require engineering and site planning to protect groundwater and surface water resources. Regardless of the approach, DOE strongly recommends early outreach and coordination with the community as part of any planning process.

DOE encourages the Army Corps of Engineers to explore methods to reduce erosion into the Calumet Harbor and River. Additional shoreline and restoration or erosion control can reduce sediments entering into the waterways and the subsequent dredging required. Also, other opportunities may exist regarding watercraft operations to further protect shoreline erosion and sediment movement in dredged channels.

If you have any questions or would like to meet to discuss these items further, please contact me at (312) 744-7606.

Sincerely,



Suzanne Molec-McKenna  
Commissioner

Attachment: City and IEPA Soil and Rubble Reuse IGA

cc: Nicole Kamins, Department of Environment  
Vasile Jurca, Department of Transportation  
Nelson Chueng, Department of Zoning and Land Use Planning

SMM/UMBR/dsg

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY AND THE CITY OF CHICAGO REGARDING PROCEDURES FOR THE REUSE OF SOIL AND RUBBLE WITHIN THE CITY OF CHICAGO BY THE CITY OF CHICAGO**

This intergovernmental agreement ("**Agreement**") is entered into by and between the Illinois Environmental Protection Agency ("**IEPA**") and the City of Chicago ("**City**") for the purpose of facilitating, within the City of Chicago, the reuse of soil and rubble excavated within the City of Chicago by the City.

**RECITALS:**

WHEREAS, Article VIII, Section 10 of the Constitution of the State of Illinois and the Intergovernmental Cooperation Act [5 ILCS 220] authorizes and encourages intergovernmental cooperation;

WHEREAS, the City is seeking to facilitate the reuse of certain soil and rubble excavated from one site within the City by the City or another unit of local government, and reused at another site within the City by the City or another unit of local government, in order to prevent unnecessary atmospheric emissions, reuse such soil and rubble, preserve limited landfill capacity, and lessen the impact and costs associated with the transportation and disposal of such soil and rubble;

WHEREAS, Section 11-8-390 of the Municipal Code of Chicago, approved by the IEPA for use as an institutional control under TACO (as defined below), prohibits the installation of potable water supply wells within the City, except for wells installed by the City or by other units of local government pursuant to an intergovernmental agreement with the City;

WHEREAS, the City has investigated potential potable water supply wells and has identified 41 wells within the City and 2 wells within 200 feet of the City (other than any wells installed by the City or by other units of local government under intergovernmental agreement(s) with the City) that are currently in operation from which the City shall maintain a setback zone of 1,000 feet for the reuse of soil and rubble; and

WHEREAS, the City, as a Remedial Applicant under the IEPA's Site Remediation Program ("**SRP**"), has routinely used soil excavated within the City of Chicago as engineered barriers under 35 Ill. Adm. Code 742 ("**TACO**") at sites being remediated under the SRP, and as general fill beneath such engineered barriers;

NOW, THEREFORE, the IEPA and the City hereby agree as follows:

**AGREEMENT:**

SECTION 1. Incorporation of Recitals

The foregoing recitals are incorporated into this Agreement by reference as if set forth fully herein.

## SECTION 2. Definitions

For the purposes of this Agreement:

The term “**hazardous substance**” means a hazardous substance as defined in Section 3.215 of the Illinois Environmental Protection Act [415 ILCS 5/3.215].

The term “**public roadway right-of-way**” means a highway as defined in Section 2-202 of the Illinois Highway Code [605 ILCS 5/2-202].

The term “**soil**” means unconsolidated mineral or organic matter on or below the surface of the earth that has been subjected to and shows effects of genetic and environmental factors of parent material, climate (including water and temperature effects), microorganisms, and topography, all acting over time and producing a product that differs from the material from which it is derived in many physical, chemical, biological, and morphological properties and characteristics. “**Soil**” includes naturally occurring geologic material such as sand, gravel, rocks, stones, and boulders. “**Soil**” does not include material generated by human activity, such as foundry sand, slag, fly ash, coke, coal combustion byproduct, and other types of waste.

The term “**rubble**” means concrete and concrete products, reclaimed asphalt pavement, bricks, rocks, gravel, and stone, whether mixed together or separated, generated as a result of the construction, maintenance, repair, or destruction of structures, roadways, sidewalks, or utilities. “**Rubble**” does not include material that has protruding metal bars.

## SECTION 3. Applicability

This Agreement applies to soil and rubble, whether separated or mixed together, that is: (i) excavated at one site within the City by the City or by another unit of local government as provided in Section 8 of this Agreement, and (ii) reused at a different site within the City by the City or another unit of local government as provided in Section 8 of this Agreement. Soil and rubble reused in accordance with this Agreement are not considered discarded material.

## SECTION 4. Reuse of Rubble

A. Rubble must be properly disposed of as waste if such rubble: (i) has paint, asbestos, or other contaminants adhered to its surface, or (ii) otherwise exhibits signs of contamination based on visual and olfactory examinations; provided, however, that rubble reused under this Agreement may have paint adhered to its surface if the fraction of rubble having paint adhered to its surface is no more than one percent (1%) of the total rubble intended for reuse from a given job, based on the postgrinding surface area or post-demolition surface area, as reasonably estimated by the City’s project manager or his or her designee.

B. If rubble: (i) does not have paint, asbestos, or other contaminants adhered to its surface, other than paint as allowed under Section 4(A) above, and (ii) does not otherwise exhibit signs of contamination based on visual and olfactory examinations; then such rubble may be reused by the City as follows:

1. At SRP sites, as approved by the IEPA under the SRP;
2. On property owned by the City or within a public roadway right-of-way, as below-grade fill if such rubble is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation;
3. On property owned by the City or within a public roadway right-of-way, above-grade to construct a man made functional structure that: (i) does not exceed a grade of two to one, unless such structure is buttressed by a retaining wall, and (ii) is covered by a road, a structure, or sufficient soil to support vegetation.

C. Soil that is mixed with rubble, except for de minimis amounts of soil, is subject to Section 5 of this Agreement.

#### SECTION 5. Reuse of Soil

A. Soil excavated from a public roadway right-of-way may be reused as below-grade fill within a public roadway right-of-way if such soil is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation.

B. Except for soil subject to Section 5(A) above, the following procedures shall be used to determine whether soil is acceptable for reuse under this Agreement:

1. Representative Sampling. The City shall analyze representative samples of the soil for the parameters listed in Appendix A. Soil may be sampled either in-situ or ex-situ. In-situ samples shall be collected at a frequency of no less than one sample for each 1,000 cubic yards, or fraction thereof, of soil or mixtures of soil and rubble that will be reused under this Agreement. Ex-situ samples shall be collected at a frequency of no less than one sample for each 750 cubic yards, or fraction thereof, of soil or mixtures of soil and rubble that will be reused under this Agreement. The following minimum sampling requirements shall also apply:
  - a. A minimum of one sample shall be collected from each site; and
  - b. A minimum of one sample shall be collected from each significantly different soil type encountered during excavation.
2. Additional Sampling. In addition to the sampling required under Section 5(B)(1) above, the City shall also analyze representative samples of soil that: (i) exhibits signs of contamination based on visual and olfactory examinations, or (ii) is likely, in the opinion of an environmental engineer, environmental scientist, civil engineer, geologist, or other qualified professional, to be contaminated with one or more hazardous substances based on field conditions or historical use of the

site and surrounding area. The samples shall be analyzed for the parameters listed in Appendix A. The soil may be sampled either in-situ or ex-situ. In-situ samples shall be collected at a frequency of no less than one sample for each 1,000 cubic yards, or fraction thereof, of soil that meets the criteria of (i) or (ii) of this subsection. Ex-situ samples shall be collected at a frequency of no less than one sample for each 750 cubic yards, or fraction thereof, of soil that meets the criteria of (i) or (ii) of this subsection.

3. Laboratory Analysis. Laboratory analysis shall be conducted by an accredited laboratory in accordance with the requirements of 35 Ill. Adm. Code 740 and 35 Ill. Adm. Code 186.

C. Soil that has been evaluated in accordance with Section 5(B) above may be reused by the City as follows:

1. Soil that does not exceed the Level 1 soil values in Appendix A may be reused:

- a. At SRP sites, as approved by the IEPA under the SRP;
- b. At non-SRP site property owned by the City, or
- c. Within a public roadway right-of-way.

Such reuse may include, but is not limited to, the construction of engineered barriers. Soil reused below grade must be reused outside of a 1,000 foot setback zone of potable water supply wells.

2. Soil for reuse that exceeds the Level 1 soil values in Appendix A but does not exceed the Level 2 soil values in Appendix A may be reused:

- a. At SRP sites, as approved by the IEPA under the SRP. Soil reused below grade must be reused outside of a 1,000 foot setback zone of potable water supply wells;
- b. On property owned by the City or within a public roadway right-of-way, as below-grade fill if such below grade fill is: (i) reused outside of a 1,000 foot setback zone of potable water supply wells, and (ii) covered by a road, a structure, or sufficient soil to support vegetation. Sites with a residential use as defined in TACO must have an engineered barrier that meets TACO's requirements for engineered barriers at residential use sites; or
- c. On property owned by the City or within a public roadway right-of-way, above grade to construct a manmade functional structure that: (i) does not exceed a grade of two to one, unless the structure is buttressed by a retaining wall, and (ii) is covered by a road, a structure, or sufficient

soil to support vegetation. Sites with a residential use as defined in TACO must have an engineered barrier that meets TACO's requirements for engineered barriers at residential use sites.

3. Prior to the City transferring its ownership of any property where offsite soils that exceed the Level 1 soil values in Appendix A but not the Level 2 soil values in Appendix A have been reused at such property, the City shall enter such property in the SRP and obtain and record a No Further Remediation Letter ("**NFR Letter**") in accordance with TACO for such property; provided, however, that ownership of such property may be transferred prior to obtaining or recording the NFR Letter if such property is transferred subject to the condition that a comprehensive NFR Letter is obtained and recorded in accordance with TACO prior to such property being occupied.

This subsection 3 does not apply in cases where the City transfers its ownership to the Public Building Commission for property development purposes, and the Public Building Commission subsequently transfers ownership of the property back to the City either: (i) during the development project, or (ii) upon substantial completion of the development project and occupancy of the property.

D. If soil becomes mixed with rubble, this Section 5 applies to the soil fraction of the mixture; provided, however, that this Section 5 does not apply to de minimis amounts of soil mixed with rubble.

#### SECTION 6. Acceptance Procedures

When soil and rubble being reused under this Agreement (whether separated or mixed together) arrives at the site where it will be reused, the City shall inspect each load to ensure that it is consistent with the reusable soil and rubble leaving the site from which the reusable soil and rubble is being excavated.

For soils tested and delivered to a reuse site in accordance with the procedures stated in this Agreement, in-situ testing of the soils at such reuse site is not required under this Agreement.

#### SECTION 7. Recordkeeping

For sites where soil or rubble is reused under this Agreement, the City shall maintain the following information and, if requested, make it available to the IEPA:

- A. For each load reused at a reuse site, the classification(s) of the soil based on the unified soil classification system (e.g., sand, silt, clay, topsoil) or the type(s) of rubble (e.g., concrete, bricks, reclaimed asphalt pavement);
- B. The results of all sampling conducted under this Agreement. The results shall include, but shall not be limited to, copies of the laboratory reports for each sample and a table comparing the sample results to the Level 1 and Level 2 Soil Values in Appendix A;



- C. The amount of soil or rubble reused at the site from each excavation location, provided in a tabular format, and copies of load tickets;
- D. The addresses of the excavation and reuse sites;
- E. The name, business address, and business telephone number of a contact person for each excavation site;
- F. Copies of field logs documenting the acceptance procedures required under Section 6 of this Agreement; and
- G. Records will be maintained by the City for three (3) years.

SECTION 8. Reuse between the City and Other Units of Local Government

If the IEPA enters into an intergovernmental agreement with a unit of local government other than the City that allows such unit of local government to reuse soil or rubble (whether separated or mixed together) at sites within the City that are owned by such unit of local government, then:

- A. Sites Owned by the City. The City may reuse, at sites within the City that are owned by the City, soil and rubble excavated within the City by such unit of local government. The reuse must be in accordance with the terms of this Agreement between the IEPA and the City; and
- B. Sites Owned by A Unit of Local Government. Such unit of local government may reuse, at sites within the City that are owned by such unit of local government, soil and rubble excavated within the City by the City. The reuse must be in accordance with the intergovernmental agreement between the IEPA and such unit of local government.

SECTION 9. General

This Agreement shall be effective upon its execution by the Director of the IEPA and the Commissioner of the City's Department of Environment. The effective date of this Agreement ("**Effective Date**") shall be the latest date noted on the signature page.

This Agreement shall continue in full force and effect without modification for a period of 10 years from its Effective Date, unless subsequently amended by a written agreement executed by the Director of the IEPA and the Commissioner of the City's Department of Environment; provided, however, that this Agreement may be cancelled at any time for good cause upon written notification by the Director of the IEPA or the Commissioner of the City's Department of Environment. Any challenge to a cancellation for cause shall be brought in an alternative dispute resolution forum agreed upon by the IEPA and the City.

This Agreement shall terminate in the event that a material change in governing law renders compliance with this Agreement a violation of such governing law, unless the IEPA and the City amend this Agreement in writing to conform with the new governing law. In addition,

upon the Illinois Pollution Control Board's ("**Board's**") adoption of amendments to the Board's Tiered Approach to Corrective Action Objectives rules (35 Ill. Adm. Code 742), the IEPA and the City shall amend this Agreement in writing as necessary so that this Agreement is not inconsistent with the Board's rules.

If any portion of this Agreement is determined to be void or otherwise unenforceable, all other provisions of this Agreement shall continue in full force and effect.

This Agreement does not prohibit the reuse of soil or rubble as otherwise allowed under state or federal law or regulation.

This Agreement is intended to address only the level of contamination that may be present in soil or rubble that is reused by the City within the City. It is not intended to authorize the City to reuse soil or rubble within public rights-of-way that are not owned or otherwise controlled by the City without the approval of the persons who own or otherwise control the public rights-of-way.

This Agreement does not relieve the City of any responsibility or liability it may have under state or federal law or regulation regarding the activities addressed in this Agreement.

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ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

  
\_\_\_\_\_  
Douglas P. Scott  
Director

Date: July 30, 2009

CITY OF CHICAGO

  
\_\_\_\_\_  
Suzanne Malec McKenna  
Commissioner  
Department of Environment

Date: 6/16/09

12/10/08

New values added per Errata #1 and Chicago comments from 12/4/08  
and correction from IEPA dated 05/11/09

### APPENDIX A: Level 1 and Level 2 Soil Values

CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
83-32-9	Acenaphthene	8270C 8310	4,700 <sup>a</sup>	120,000 <sup>g,h</sup>	---
67-64-1	Acetone	8260B	70,000 <sup>a</sup>	100,000 <sup>d,i,j</sup>	---
120-12-7	Anthracene	8270C 8310	24,000 <sup>a</sup>	610,000 <sup>g,h</sup>	---
71-43-2	Benzene	8260B	0.069 <sup>c</sup>	0.51 <sup>j</sup>	---
56-55-3	Benzo(a)anthracene	8270C 8310	1.1 <sup>e</sup>	7.8 <sup>h</sup>	---
205-99-2	Benzo(b)fluoranthene	8270C 8310	1.5 <sup>e</sup>	7.8 <sup>h</sup>	---
207-08-9	Benzo(k)fluoroanthene	8270C 8310	8.8 <sup>a</sup>	78 <sup>h</sup>	---
50-32-8	Benzo(a)pyrene	8270C	1.3 <sup>e</sup>	1.3 <sup>e</sup>	---
111-44-4	Bis(2-chloroethyl)ether	8270C	0.3 <sup>b</sup>	0.58 <sup>i</sup>	0.66
117-81-7	Bis(2-ethylhexyl)phthalate	8270C	46 <sup>a</sup>	200 <sup>g,h</sup>	---
75-27-4	Bromodichloromethane (Dichlorobromomethane)	8260B	10 <sup>a</sup>	92 <sup>h</sup>	---
75-25-2	Bromoform	8260B	49 <sup>c</sup>	100 <sup>i</sup>	---
71-36-3	Butanol	8260B	7,800 <sup>a</sup>	8,300 <sup>j</sup>	---
78-93-3	2 – Butanone (MEK)	8260B	730 <sup>d</sup>	730 <sup>d</sup>	---
85-68-7	Butyl benzyl phthalate	8270C	1,000 <sup>b</sup>	1,000 <sup>d,i</sup>	---
86-74-8	Carbazole	8270C	32 <sup>a</sup>	290 <sup>h</sup>	NA <sup>f</sup>
75-15-0	Carbon disulfide	8260B	28 <sup>d</sup>	28 <sup>d</sup>	---

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56-23-5	Carbon tetrachloride	8260B	0.021 <sup>c</sup>	0.15 <sup>i</sup>	---
106-47-8	4-Chloroaniline ( <i>p</i> -Chloroaniline)	8270C	310 <sup>a</sup>	820 <sup>8</sup>	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
108-90-7	Chlorobenzene (Monochlorobenzene)	8260B	33 <sup>d</sup>	33 <sup>d</sup>	---
124-48-1	Chlorodibromomethane (Dibromochloromethane)	8260B	630 <sup>c</sup>	630 <sup>i</sup>	---
67-66-3	Chloroform	8260B	0.028 <sup>c</sup>	0.2 <sup>i</sup>	---
95-57-8	2 - Chlorophenol	8270C	390 <sup>a</sup>	1,600 <sup>8</sup>	---
218-01-9	Chrysene	8270C 8310	88 <sup>a</sup>	780 <sup>h</sup>	---
53-70-3	Dibenzo(a,h)anthracene	8270C	0.2 <sup>c</sup>	0.78 <sup>h</sup>	---
96-12-8	1,2 Dibromo-3-chloropropane	8260B	0.0073 <sup>c</sup>	0.035 <sup>d</sup>	---
106-93-4	1,2 Dibromoethane (Ethylene dibromide)	8260B	0.022 <sup>c</sup>	0.11 <sup>d</sup>	---
84-74-2	Di-n-butyl phthalate	8270C	2,600 <sup>b</sup>	2,600 <sup>d,i</sup>	---
95-50-1	1,2-Dichlorobenzene ( <i>o</i> - Dichlorobenzene)	8270C	200 <sup>c</sup>	200 <sup>j</sup>	---
106-46-7	1,4-Dichlorobenzene ( <i>p</i> - Dichlorobenzene)	8270C	130 <sup>e,j</sup>	130 <sup>e,j</sup>	---
91-94-1	3,3'-Dichlorobenzidine	8270C	1.4 <sup>a</sup>	13 <sup>h</sup>	1.3
75-71-8	Dichlorodifluoromethane	8260B	6.8 <sup>c</sup>	20 <sup>d</sup>	---
75-34-3	1,1-Dichloroethane	8260B	110 <sup>c</sup>	130 <sup>d</sup>	---
107-06-2	1,2-Dichloroethane (Ethylene dichloride)	8260B	0.066 <sup>c</sup>	0.48 <sup>j</sup>	---
75-35-4	1,1-Dichloroethylene	8260B	2.9 <sup>d</sup>	2.9 <sup>d</sup>	---

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156-59-2	<i>cis</i> -1,2-Dichloroethylene	8260B	700 <sup>c</sup>	700 <sup>j</sup>	---
156-60-5	<i>trans</i> -1,2-Dichloroethylene	8260B	10 <sup>c</sup>	15 <sup>d</sup>	---
78-87-5	1,2-Dichloropropane	8260B	0.023 <sup>c</sup>	0.17 <sup>j</sup>	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
542-75-6	1,3-Dichloropropene (1,3-Dichloropropylene, <i>cis</i> + <i>trans</i> )	8260B	0.061 <sup>c</sup>	0.45 <sup>j</sup>	---
84-66-2	Diethyl phthalate	8270C	2,200 <sup>b,d</sup>	2,200 <sup>d,i</sup>	---
105-67-9	2,4-Dimethylphenol	8270C	1600 <sup>a</sup>	10,000 <sup>d,i</sup>	---
121-14-2	2,4-Dinitrotoluene	8270C	0.94 <sup>a</sup>	8.4 <sup>h</sup>	---
606-20-2	2,6-Dinitrotoluene	8270C	0.94 <sup>a</sup>	8.4 <sup>h</sup>	---
117-84-0	Di-n-octyl phthalate	8270C	16 <sup>b,d</sup>	16 <sup>d</sup>	---
100-41-4	Ethylbenzene	8260B	55 <sup>d</sup>	55 <sup>d</sup>	---
206-44-0	Fluoranthene	8270C 8310	3,100 <sup>a</sup>	82,000 <sup>g,h</sup>	---
86-73-7	Fluorene	8270C 8310	3,100 <sup>a</sup>	82,000 <sup>g,h</sup>	---
118-74-1	Hexachlorobenzene	8270C	0.25 <sup>c</sup>	0.25 <sup>j</sup>	---
77-47-4	Hexachlorocyclopentadiene	8270C	5 <sup>c</sup>	8.8 <sup>i</sup>	---
67-72-1	Hexachloroethane	8270C	78 <sup>a</sup>	160 <sup>j</sup>	---
193-39-5	Indeno(1,2,3- <i>c,d</i> )pyrene	8270C 8310	0.88 <sup>a</sup>	7.8 <sup>h</sup>	---
78-59-1	Isophorone	8270C	1,400 <sup>d</sup>	1,400 <sup>d</sup>	---
98-82-8	Isopropylbenzene (Cumene)	8260B	21 <sup>c</sup>	52 <sup>d</sup>	---
74-83-9	Methyl bromide (Bromomethane)	8260B	0.71 <sup>c</sup>	2 <sup>d</sup>	---

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1634-04-4	Methyl tertiary-butyl ether	8260B	160 <sup>d</sup>	160 <sup>d</sup>	---
75-09-2	Methylene chloride (Dichloromethane)	8260B	1.4 <sup>c</sup>	10 <sup>j</sup>	---
93-65-2	2 - Methyl naphthalene	8270C	83 <sup>c</sup>	83 <sup>j</sup>	---
95-48-7	2-Methylphenol ( <i>o</i> - Cresol)	8270C	2,900 <sup>d</sup>	2,900 <sup>d</sup>	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
91-20-3	Naphthalene	8270C 8310	0.92 <sup>d</sup>	0.92 <sup>d</sup>	---
98-95-3	Nitrobenzene	8270C	7.9 <sup>d</sup>	7.9 <sup>d</sup>	---
86-30-6	<i>N</i> -Nitrosodiphenylamine	8270C	130 <sup>a</sup>	1,200 <sup>h</sup>	---
621-64-7	<i>N</i> -Nitrosodi- <i>n</i> -propylamine	8270C	0.11 <sup>b</sup>	0.22 <sup>d</sup>	---
108-95-2	Phenol	8270C	1,100 <sup>d</sup>	1,100 <sup>d</sup>	---
1336-36-3	Polychlorinated biphenyls (PCBs)	8082	1 <sup>a</sup>	1 <sup>g,h</sup>	---
129-00-0	Pyrene	8270C 8310	2,400 <sup>a</sup>	61,000 <sup>g,h</sup>	---
100-42-5	Styrene	8260B	230 <sup>c</sup>	230 <sup>j</sup>	---
127-18-4	Tetrachloroethylene (Perchloroethylene)	8260B	0.24 <sup>c</sup>	1.7 <sup>j</sup>	---
108-88-3	Toluene	8260B	200 <sup>d</sup>	200 <sup>d</sup>	---
120-82-1	1,2,4-Trichlorobenzene	8270C	18 <sup>d</sup>	18 <sup>d</sup>	---
71-55-6	1,1,1-Trichloroethane	8260B	130 <sup>d</sup>	130 <sup>d</sup>	---
79-00-5	1,1,2-Trichloroethane	8260B	310 <sup>a</sup>	820 <sup>b</sup>	---
79-01-6	Trichloroethylene	8260B	0.26 <sup>c</sup>	1.9 <sup>j</sup>	---
75-69-4	Trichlorofluoromethane	8260B	31 <sup>c</sup>	90 <sup>d</sup>	---

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99-35-4	1,3,5 Trinitrobenzene	8270C	2,400 <sup>a</sup>	6,100 <sup>b</sup>	---
108-05-4	Vinyl Acetate	8260B	10 <sup>d</sup>	10 <sup>d</sup>	---
75-01-4	Vinyl chloride	8260B	0.011 <sup>c</sup>	0.15 <sup>f</sup>	---
1330-20-7	Xylenes (total)	8260B	27 <sup>d</sup>	27 <sup>d</sup>	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
<b>Ionizable Organics</b>					
120-83-2	2,4-Dichlorophenol	8270C	240 <sup>a</sup>	610 <sup>b,h</sup>	---
51-28-5	2,4-Dinitrophenol	8270C	160 <sup>a</sup>	4,100 <sup>b</sup>	---
87-86-5	Pentachlorophenol	8270C	2.6 <sup>a</sup>	24 <sup>h</sup>	---
95-95-4	2,4,5-Trichlorophenol	8270C	7,800 <sup>a</sup>	61,000 <sup>b</sup>	---
88-06-2	2,4,6 Trichlorophenol	8270C	58 <sup>a</sup>	520 <sup>h</sup>	---
<b>Inorganics</b>					
7440-36-0	Antimony	6010B/ 6020	31 <sup>a</sup>	82 <sup>b</sup>	---
7440-38-2	Arsenic	6020/ 7060A/ 7061A/ 7062	13 <sup>a</sup>	61 <sup>b</sup>	---
7440-39-3	Barium	6010B/ 6020	16,000 <sup>a</sup>	140,000 <sup>b</sup>	---
7440-41-7	Beryllium	6010B/ 6020	160 <sup>a</sup>	410 <sup>b</sup>	---
7440-42-8	Boron	6010B/ 6020	16,000 <sup>a</sup>	41,000 <sup>b</sup>	---
7440-43-9	Cadmium	6010B/ 6020	78 <sup>a</sup>	200 <sup>b</sup>	---
7440-47-3	Chromium, total	6010B/ 6020	230 <sup>a</sup>	420 <sup>i</sup>	---

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7440-48-4	Cobalt	6010B/ 6020	23 <sup>a</sup>	560 <sup>i</sup>	---
7440-50-8	Copper	6010B/ 6020	3,100 <sup>a</sup>	8,200 <sup>b</sup>	---
57-12-5	Cyanide (amenable)	9012A	1,600 <sup>a</sup>	4,100 <sup>b,h</sup>	---
7782-41-4	Fluoride	9056	4,700 <sup>a</sup>	12,000 <sup>b,h</sup>	---
7439-92-1	Lead	6020/74 21	400 <sup>a</sup>	700 <sup>b</sup>	---
CAS No.	Chemical Name	Method	Level 1 Soil Values (mg/kg)	Level 2 Soil Values (mg/kg)	ADL (mg/kg)
7439-95-4	Magnesium	6010B	325,000 <sup>a</sup>	730,000 <sup>b</sup>	---
7439-96-5	Manganese	6010B/ 6020	1,600 <sup>a</sup>	4,100 <sup>b</sup>	---
7439-97-6	Mercury	7470A/ 7471A	0.072 <sup>d,k</sup>	0.072 <sup>d,k</sup>	---
7440-02-0	Nickel	6010B/ 6020	1,600 <sup>a</sup>	4,100 <sup>b</sup>	---
14797-73-0	Perchlorate	6850/ 6860	55 <sup>a</sup>	140 <sup>b</sup>	---
7782-49-2	Selenium	7740A/ 7741A/ 7742	390 <sup>a</sup>	1,000 <sup>b</sup>	---
7440-22-4	Silver	6010B/ 6020	390 <sup>a</sup>	1,000 <sup>b</sup>	---
7440-28-0	Thallium	6010/78 41	6.3 <sup>a</sup>	160 <sup>b,h</sup>	---
7440-62-2	Vanadium	6010B	550 <sup>a</sup>	1,400 <sup>b</sup>	---
7440-66-6	Zinc	6010B/ 6020	24,000 <sup>a</sup>	61,000 <sup>b</sup>	---

**Notations**

a Value from TACO Appendix B, Table A Tier 1 Soil Remediation Objectives for Residential Property for the soil ingestion exposure route.

b Value from TACO Appendix B, Table A Tier 1 Soil Remediation Objectives for Residential Property for the soil outdoor

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- inhalation exposure route.
- c Value from TACO Appendix B, Table G Tier 1 Indoor Inhalation Remediation Objectives for residential properties for the soil indoor inhalation exposure route.
  - d Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil outdoor inhalation exposure route for construction workers .
  - e Value from TACO Appendix A, Table H Concentrations of Polynuclear Aromatic Hydrocarbon Chemicals in Background Soils.
  - f The ADL is less than or equal to the specified remediation objective.
  - g Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil ingestion exposure route for construction workers.
  - h Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil ingestion exposure route.
  - i Value from TACO Appendix B, Table B Tier 1 Soil Remediation Objectives for Industrial/Commercial Property for the soil outdoor inhalation exposure route.
  - j Value from TACO Appendix B, Table G Tier 1 Indoor Inhalation Remediation Objectives for industrial/commercial properties for the soil indoor inhalation exposure route.
  - k Inhalation objective only applies at sites where elemental mercury is a contaminant of concern.







**DEPARTMENT OF THE ARMY**  
**CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
**111 NORTH CANAL STREET**  
**CHICAGO IL 60606-7206**

September 2, 2010

REPLY TO  
ATTENTION OF

Project Management

Ms. Suzanne Malec-McKenna  
Commissioner  
Department of Environment  
30 North LaSalle Street, 2<sup>nd</sup> Floor  
Chicago, Illinois 60602-2575

RE: Calumet Harbor and River, IL/IN Dredged Material Management Plan

Dear Ms. McKenna:

Thank you very much for your interest in the above-referenced feasibility report. Following up on your correspondence dated January 6, 2010, this letter respectfully reports recent progress made on the planning document.

One of the U.S. Army Corps of Engineers, Chicago District's (Corps) primary missions is to maintain commercial navigation for safe, reliable and efficient waterborne transport at local Federal harbors, channels and waterways. As such, the Corps regularly dredges sediment from the Calumet Harbor and River. This sediment is placed into the Chicago-area confined disposal facility (CDF) located at the river mouth inside the harbor. Currently the remaining storage capacity within the CDF is approximately 90,000 cubic yards (CY). The annual sedimentation rate within the Federal channel project is approximately 50,000 CY, and the project is next expected to require dredging in fiscal year 2012. A typical dredging event removes approximately 100,000 CY of sediment, all of which must be placed within the CDF, so this next dredging contract will fill the CDF. The Dredged Material Management Plan (DMMP) will identify placement alternatives for sediment dredged from the Calumet Harbor and River, for a 20-year period starting in the year 2014.

The DMMP is the planning document prepared by the Corps to ensure that maintenance dredging activities are performed in an environmentally acceptable manner, use sound engineering techniques, are economically warranted, and that sufficient placement facilities are available for a minimum 20-year period. The DMMP will address dredging needs, placement capabilities, environmental compliance requirements, potential for beneficial usage of dredged material, and indicators of continued economic justification for Federal maintenance of the Federal channel at the Calumet Harbor and River.

In accordance with the National Environmental Policy Act (NEPA), public input is sought at key points throughout the planning process. NEPA scoping letters were mailed to agencies on March 13, 2009. Since May 2009, the Corps' project delivery team has been meeting regularly with potential project sponsors/stakeholders including the City of Chicago (City), Chicago Park

District (Park District) and Illinois International Port District (Port District). This has provided valuable input to the planning process. We very much appreciate your staff's participation, and your recognition of the importance and urgency of identifying feasible solutions to meet the project needs.

The draft Environmental Assessment (EA) is currently scheduled to be mailed out for public review in January 2012. Our mailing list is comprised of local, State, Federal Agencies, and other known interests, as well as local libraries. If you know of any individuals or organizations that you feel should receive a copy of the draft EA, please let us know and we will be happy to include them on our mailing list. Prior to this public review, we would be glad to consider public input provided through the City, Park District and Port District stakeholders.

The goal of the project's DMMP feasibility process is to identify the most cost-effective, environmentally and socially acceptable alternative as the base plan, with non-Federal cost sharing requirements as identified by applicable law. The feasibility process also identifies project sponsor(s) who intend to cost share and provide real estate for the project. Typically the base plan is also the recommended plan, unless the project's non-Federal sponsor identifies a locally preferred plan for whose incremental cost increase the sponsor is willing to pay.

In order to compare preliminary costs and develop an initial evaluation of the technical requirements, we are currently developing two conceptual alternatives for confined placement of sediment, namely an in-lake and upland alternative.

As a direct result of input from the sponsors/stakeholders, the Corps is identifying environmental requirements and preliminary costs to determine whether the sediment within the CDF could be dried and reused over the short-term period, while keeping the existing CDF open for future dredged material placement. While this would mean the existing CDF site would not soon be available for final capping and Calumet Park expansion, the project could potentially prepare other nearby site(s) for their future intended uses, at the same time allowing channel maintenance for navigation to continue with sediment placement at the existing location.

It is of course essential that any alternative that is designed is protective of the environment, including groundwater and surface water resources, as required by the Illinois Environmental Protection Agency (IEPA) and noted in your letter. A formal discussion was held with the IEPA in December 2009 to preliminarily discuss environmental requirements, and as a minimum we anticipate the need for a final cover to serve as a protective barrier layer, for any new upland site where the existing sediment would be placed.

My staff has reviewed the Intergovernmental Agreement (IGA) that the City established with IEPA, and the required polyaromatic hydrocarbon (PAH) concentrations are similar to TACO residential standards. The sediment from the CDF would not meet the required PAH, PCB and some metals concentrations. However it may be possible to work with the IGA in terms of future sediment dredged from the harbor, where we have typically found lower concentrations.

As you recommended, we have contacted the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC), and received a written response that based on the sediment quality, the sediment is not suitable for blending with the District's biosolids for typical beneficial reuse projects.

My staff has reviewed the available information about the reuse of Lake Peoria sediments at the former U.S. Steel Southworks site. While the sediment quality differs such that sediment from the Calumet Harbor and River could not be used in exactly the same way, we concur with your belief in the potential for the beneficial reuse of the dredged sediment in a manner that is protective of the environment. We appreciate your assistance in identifying potential opportunities for such uses.

As part of the DMMP effort, we are reviewing sources of sedimentation in the river including point sources, loading docks and bank erosion, windborne sediment accretion into the harbor, and watercraft operations, to identify measures that may reduce the amount of future dredging required. It should be noted that state and local agencies are responsible for implementing controls of point source discharges, and it is difficult to identify effective controls for non-point discharges.

We have prepared a table of preliminary sites in the vicinity of the existing CDF, and as you requested have identified the Calumet Open Space Reserve sites. Preservation of existing natural resources is considered in site evaluation. The table contains information on possible new CDF sites, and sites with potential for sediment re-use. The table is updated as new information is received about future intended uses and potential needs for confined fill.

Our most recent regularly scheduled meeting with the project delivery team and stakeholders including Department of Environment staff, was held on August 26, at the Illinois International Port District offices and included a brief site visit to the existing CDF.

We are currently preparing information for our Division and Headquarters offices, for a Feasibility Scoping Meeting that is tentatively scheduled for early December. At the meeting, our office will present work accomplished to date, for input from the Corps' vertical chain of

command. Stakeholders and potential project sponsors will be invited and encouraged to participate in this conference call.

We respectfully request a meeting with you and other Commissioners, as appropriate, in early October to discuss the development of the DMMP. We would provide updates to the above-described progress and answer questions you may have. Please have your staff contact our project manager, Monica Ott, 312-846-5591, to schedule the early October meeting. Please feel free to contact me any time, at 312-846-5302.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Deda', written in a cursive style.

Roy J. Deda  
Deputy for Project Management

**ILLINOIS INTERNATIONAL  
PORT DISTRICT**

3600 E. 95th Street  
95th and the Lakefront  
Chicago, IL 60617-5193  
773-646-4400  
773-221-7678 (FAX)

March 23, 2011

Ms. Monica Ott  
Project Manager  
United States Army  
Corps of Engineers  
Chicago District  
111 N. Canal Street, Suite 600  
Chicago, IL 60606

Subject: Calumet Harbor and River,  
Illinois & Indiana, Dredged Material Management Plan (DMMP),  
Potential Placement Sites

Dear Ms. Ott:

The Illinois International Port District is reviewing the Draft Report for Feasibility and Scoping Meeting for the Calumet Harbor and River (Illinois & Indiana)- Dredged Material Management Plan and Environmental Assessment, dated January, 2011, made available to us on March 22, 2011. We will advise you of any comments in the near future.

We have reviewed the Potential Placement Sites (Figure 5.1) in the Draft Report dated January, 2011. We believe that all four of the sites within Lake Calumet (Sites A04, A05, A06 and A07), would severely impact the ability of existing tenants to maintain current (or future) navigable waters to their lease parcel. As such we would recommend that they should be eliminated for future consideration.

Please feel free to contact me, or George Braam at Kudrna and Associates (312-738-1522) if you have any questions.

Sincerely,



Anthony Ianello, Executive Director



Port of Chicago  
Foreign Trade Zone No. 22

# MEMORANDUM

**TO:** Ronald Deiss

**FROM:** Wade B. Light

**SUBJECT:** Corp Dredge and Fill Along  
Carsag Channel

**DATE:** October 10, 2014

---

Thank you for speaking with me this morning and putting my address on the distribution list for this project.

Attached is a copy of the cover letter we received via regular mail on 10/9/14.

As discussed, I am affiliated with the entity which owns the beneficial interest in the title to the majority site 329L-B.

## Deiss, Ronald W MVR

---

**From:** Corey Smith [CSmith@delawarenation.com]  
**Sent:** Friday, October 24, 2014 2:38 PM  
**To:** Deiss, Ronald W MVR  
**Cc:** Nekole Alligood  
**Subject:** [EXTERNAL] Regional Planning and Environmental Division North (RPEDN)



**Delaware Nation**  
**Corey Smith**  
**Assistant Director**

---

Dear Mr. Deiss,

This e-mail is in regards to the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) for navigation channel maintenance of the Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River projects located in Cook, DuPage and Will counties in Northeastern Illinois. This proposed project is not in the "area of interest" of the Delaware Nation.

Thank You,

Corey Smith  
Assistant Director  
Delaware Nation Cultural Preservation  
P.O. Box 825  
Anadarko, OK 73005  
Phone: (405) 247-2448 Ext. 1405  
Fax: (405) 247-8905



## **Attachment #3**



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS - ROCK ISLAND DISTRICT  
CLOCK TOWER BUILDING - PO BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

September 29, 2014

REPLY TO  
ATTENTION OF

Regional Planning and Environmental  
Division North (RPEDN)

Ms. Anne Haaker  
Deputy State Historic Preservation Officer  
Review and Compliance Section  
Illinois Historic Preservation Agency  
1 Old State Capitol Plaza  
Springfield, Illinois 62701-1507

Dear Ms. Haaker:

The U.S. Army Corps of Engineers (Corps) is currently planning the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) for navigation channel maintenance of the Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River projects located in Cook, DuPage and Will Counties in Northeastern Illinois. Long-term dredging needs have been identified for Calumet Harbor and River and the Cal-Sag Channel, located in Cook County in Northeastern Illinois. Proposed placement of dredged material for the CAWS DMMP is a federal undertaking and requires coordination and compliance promulgated under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), and its implementing regulations 36 CFR Part 800: "Protection of Historic Properties."

Authorization and improvements for Chicago Harbor were authorized by the River and Harbor Act of 1870 and subsequent River and Harbor Acts. Chicago River improvements were authorized by the River and Harbor Act of 1896 and subsequent River and Harbor Acts. Since the initial authorization of an outer Calumet Harbor protected by breakwaters in 1899, the dimensions, shape, and depth of the Federal channel have been modified by subsequent acts. Improvements to the South Branch of the Chicago River were first authorized as part of Chicago River improvements in 1896. The River and Harbor Act of 1919, however, eliminated the south branch from the maintained channel. In 1930, when the Illinois Waterway Project was established, maintenance to a useable depth of nine feet was authorized. The Corps is authorized to perform operation and maintenance activities on the IWW by the Rivers and Harbors Act of 1927; as modified by the Rivers and Harbors Acts of 1930, 1932, and 1935; and a Resolution of the House Committee on Flood Control of September 19, 1944. These Acts and Resolution authorize the construction, operation, and maintenance of the 9-foot navigation channel on the IWW, including the Calumet-Sag Channel and the Chicago Sanitary and Ship Canal, between the mouth of the Illinois River near Grafton, Illinois, and the mouths of the Chicago and Calumet Rivers to Lake Michigan. The River and Harbor Acts of 1946 and 1957 authorized widening of the channel along with other improvements to support use of the channel by commercial vessels.

Dredging within the CAWS has the potential for removing and depositing contaminated sediments which require CDFs to isolate the contamination. The Corps proposes land-based CDFs where the material would be confined with earthen berms or concrete "T-walls." Impermeable clay liners within the CDFs will prevent seepage of effluent from the contaminated sediment into surrounding soils and water tables. Existing paving, impermeable soils, or artificial surfaces would remain to support the liners and provide additional protection against seepage. Water discharged from the CDF will be monitored, treated, and the CDF will be capped when full capacity is attained.

All dredging shall occur within existing navigable waterways channels and built channels that were historically dredged as part of the IWW navigation system. An excess of 40 alternative locations were previously studied for CDFs, and four locations are presently being evaluated as potential placement sites (Enclosure 2, 313R, 328R, 329L-B, 330L). One or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields, or land surfaces that exhibited heavy industrial/ commercial subsurface development/reclamation, or other extensive subsurface disturbances.

The Corps conducted an archival search for historic properties following the "Policy and Procedures for the Conduct of Underwater Historic Resource Surveys for Maintenance Dredging and Corps Activities" (DGL-89-01, March 1989). The Corps queried the most updated Illinois Geographic Information Systems (GIS) site file database for historic properties (potentially significant archeological and architectural sites) potentially affected by CAWS DMMP. No previously reported or recorded historic properties within the GIS site files are within any of the proposed four CDFs alternatives or proposed dredging. Historically, much of the area immediately adjacent to the Calumet – Sag Channel and Calumet River was documented as lakes, marshes, and wetlands, until the late nineteenth and early twentieth centuries when the area was drained, dredged, and filled. No industrial or residential development is shown within the placement site alternatives, until the 1905 to 1951 Sanborn Fire Insurance maps. These Sanborn Fire Insurance maps overlaid with the proposed CDFs 328R, 329L-B, and 330L are enclosed (Enclosure 3).

The following reference indicated that the industrial development along the Calumet River grew along with the full authorization of the Calumet Harbor and its construction between 1896 and 1915. During this period, the Calumet River was dredged for commercial navigation and its river banks industrially and commercially developed.

Colten, Craig E.  
1985 Industrial Wastes in the Calumet Area, 1869–1970: An Historical Geography  
(Hazardous Waste Research and Information Center, RR-EO1). State Water Survey  
Division, Illinois Department of Energy and Natural Resources, Champaign, Illinois.

The 1985 Colten report states that portions of the Calumet Lake and surrounding marshlands were filled with dredged and industrial waste materials.

Major development at the placement site alternatives can be described as follows: military missile installation and presently paved (313R), residential platted and presently paved (328R), Republic Steel Corporation rail yard, presently remediated brownfield (329L-B), and Republic Steel Corporation storage steelyard (330L). Mr. Joseph Phillippe of your agency and Mr. Ron Deiss of the Rock Island District visited the alternative placement site locations on September 17, 2014. During this reconnaissance the proposed dredged material placements sites were verified as being extensive disturbed having none of the structures or buildings shown on Sanborn Fire Insurance maps. Therefore, the archival search and site reconnaissance indicates that the placement site alternatives have no potential to contain significant historic properties and therefore, no archeological or architectural surveys are recommended.

Pursuant to Section 800.3 of the Council's regulations and to meet the responsibilities under the NEPA of 1969, the Corps has developed a preliminary Interested and Consulting Parties Distribution List (Enclosure 4, Distribution List) comprised of over 40 to government organizations or agencies, tribes, landowners, historical societies, and other interested parties. The Corps will comply with any requests to be removed from, or provide additions to, the Distribution List. The development and maintenance of the Distribution List allows agencies, tribes, individuals, organizations, and other interested parties an opportunity to provide views on any effects of this undertaking on historic properties resulting from the CAWS DMMP and to participate in the review of the Draft Feasibility Report and Integrated Environmental Assessment.

Please provide you concurrence with the undertaking with the finding of no historic properties within 30 days or the Corps will assume your agency concurs with the proposed dredging and development of the proposed CDFs alternatives. Although the Corps provides evidence of no significant historic properties within the proposed dredged material placement or access, if any undocumented historic properties are identified or encountered during the undertaking, the Corps will discontinue all construction and dredged material placement activities and resume coordination with the Illinois Historic Preservation Agency to identify the significance of the historic property and determine potential effects under Section 106 of the National Historic Preservation Act of 1966 and 36 CFR Part 800.

If your agency or those on the Distribution List has questions or comments, please call or email ([ronald.w.deiss@usace.army.mil](mailto:ronald.w.deiss@usace.army.mil)) Mr. Ron Deiss of our Environmental Analysis Branch, telephone 309/794-5185, or write to our address above, ATTN: Planning, Programs, and Project Management Division (Ron Deiss).

Sincerely,

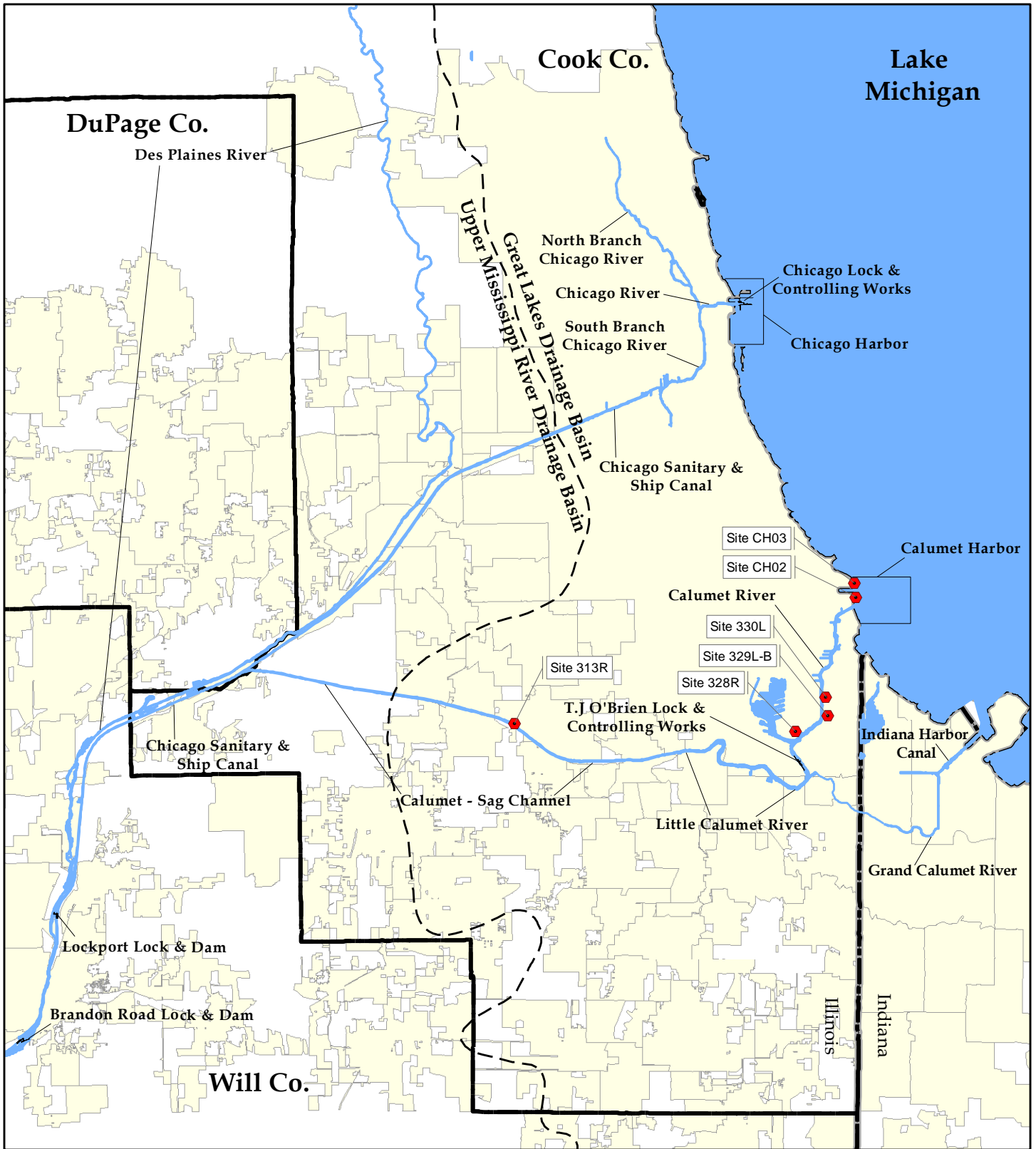


Kenneth A. Barr  
Chief, Environmental Planning Branch RPEDN

Enclosures (4)

**ENCLOSURE 1**

Chicago Area Waterway System  
(One 8.5" by 11" sheet)



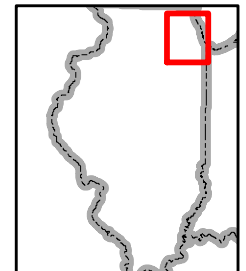
## Chicago Area Waterway System Contaminated Sediment Dredged Material Management Plan

### Legend

- Potential Placement Site Alternative



**US Army Corps  
of Engineers**  
Rock Island District



Sep 8, 2014

**ENCLOSURE 2**

**CAL-SAG CHANNEL AND CALUMET RIVER MAPS  
(POTENTIAL CDF SITE SCREENING)**

(Nine 11" by 17" sheets)







































**ENCLOSURE 3**

**SANBORN FIRE INSURANCE MAPS**

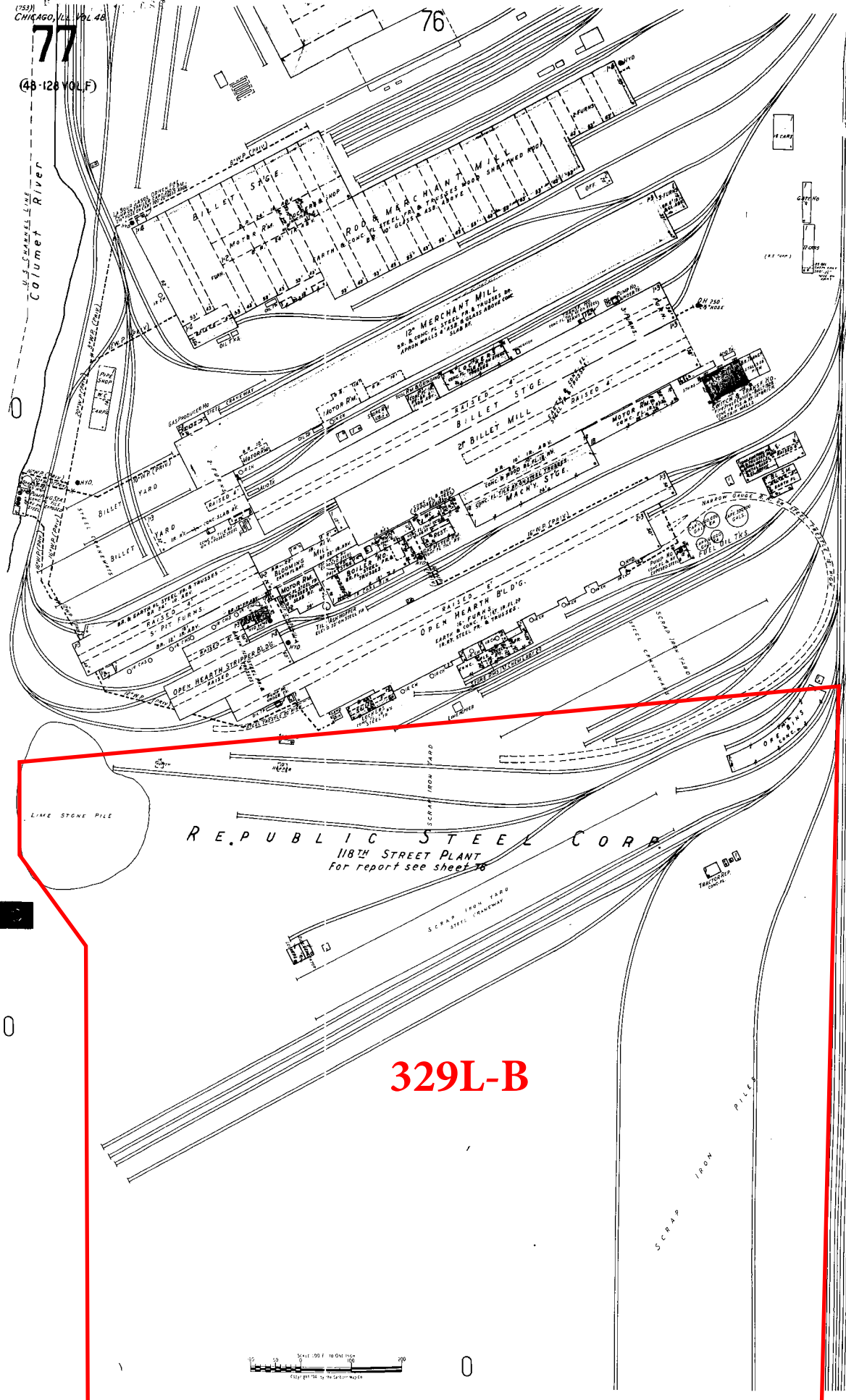
**Chicago 1905-1951, Vol. 48, 1947-Apr.1950, Sheet Ob**

**Chicago 1905-1951, Vol. 48, 1947-Apr. 1950, Sheet 77**

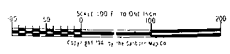
**Chicago 1905-1951, Vol. 48, 1947-Apr. 1950, Sheet 76**

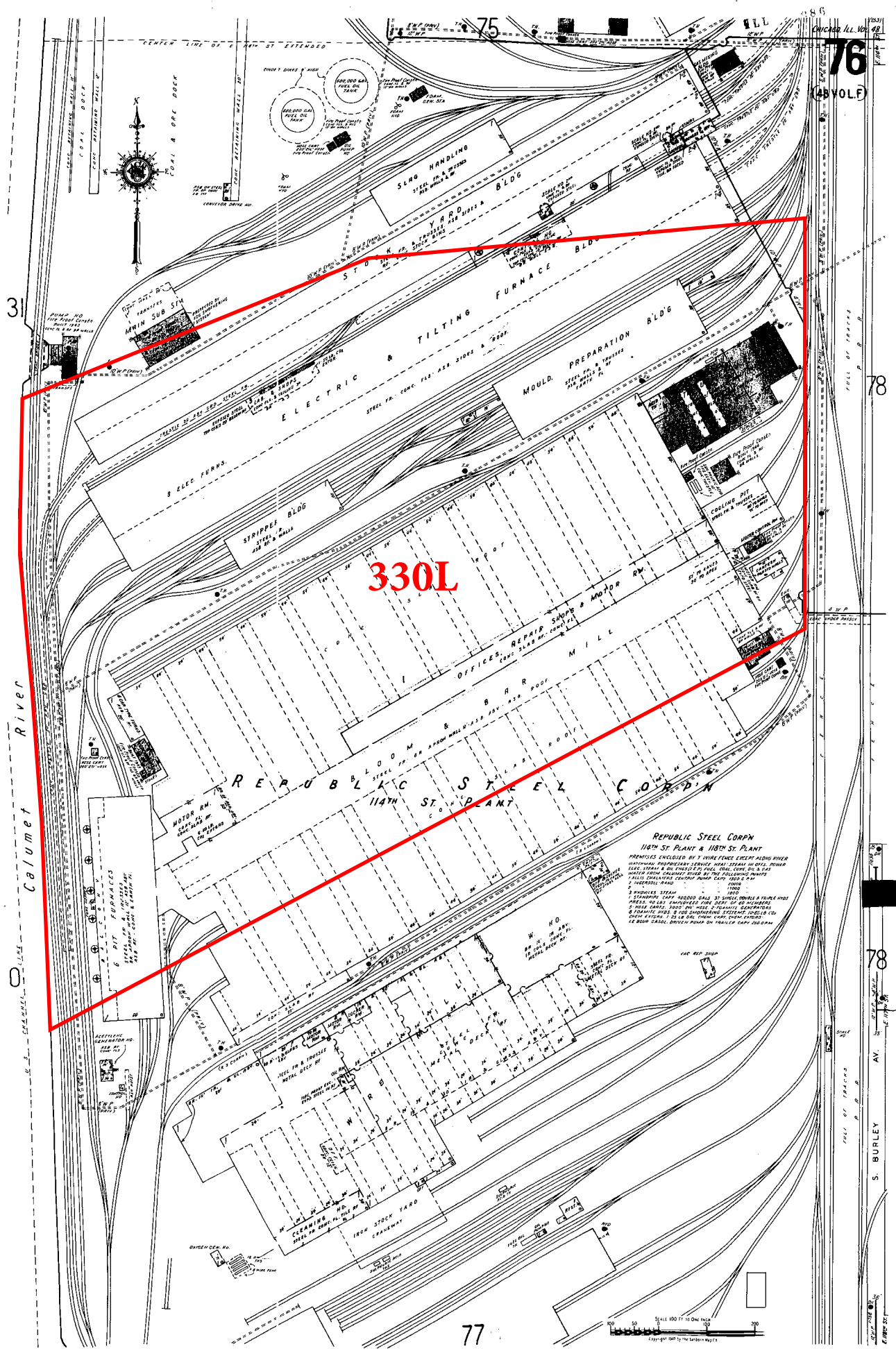
(Three 8.5" by 11" sheets)





**329L-B**





**330L**

REPUBLIC STEEL CORP  
 114TH ST PLANT & 118TH ST PLANT  
 PREMISES ENCLOSED BY 3' HIGH FENCE EXCEPT ALONG RIVER  
 NATIONAL PROTECTION SERVICE HAS STEAK IN THIS PLANT  
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 CENTER AND CALUMET RIVER BY THE FOLLOWING MEANS  
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**ENCLOSURE 4**

**INTERESTED AND CONSULTING PARTIES DISTRIBUTION LIST**  
(Three 8.5" by 11" sheets)

CAWS INTERESTED PARTIES

98F

LOUISE CLEMENCY  
CHICAGO ILLINOIS FIELD OFC  
US FISH AND WILDLIFE SERVICE  
1250 S GROVE AVE STE 103  
BARRINGTON IL 60010

BOBB BEAUCHAMP  
ENVIRON PROGRAM MGR  
CHICAGO AIRPORT DIST OFC CHI-ADO-600  
FEDERAL AVIATION ADMINISTRATION  
2300 E DEVON AVE  
DES PLAINES IL 60018

SCOTT BECKERMAN  
STATE DIRECTOR  
USDA APHIS WILDLIFE SERVICES  
3430 CONSTITUTION DR STE 121  
SPRINGFIELD IL 62711

NATHAN GRIDER  
OFC OF REALTY AND ENVIRON PLANNING  
IL DEPT OF NATURAL RESOURCES  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD IL 62702-1271

ANNE HAAKER  
DEPUTY STATE HIST PRESERVATION OFCR  
IL HISTORIC PRESERVATION AGENCY (SHPO)  
1 OLD STATE CAPITOL PLAZA  
SPRINGFIELD IL 62701

DR HAROLD HASSEN  
IL DEPT OF NATURAL RESOURCES  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD IL 62702-1271

DAN HEACOCK  
PERMIT BUREAU OF WATER  
IL ENVIRONMENTAL PROTECTION AGENCY  
1021 N GRAND AVE E  
SPRINGFIELD IL 62794-9276  
S-700

DAN INJERD  
CHIEF LAKE MICHIGAN MGMT  
OFFICE OF WATER RESOURCES  
IL DEPT OF NATURAL RESOURCES  
MICHAEL A BILANDIC BLDG 160 N LASALLE ST STE  
CHICAGO IL 60601

KAREN MILLER  
OFC OF REALTY & ENVIRONMENTAL PLANNI  
IL DEPT OF NATURAL RESOURCES  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD IL 62702-1270

TODD RETTIG  
ACTING DIRECTOR  
OFC OF REALTY & ENVIRONMENTAL PLANNI  
IL DEPT OF NATURAL RESOURCES  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD IL 62702-1270

DIANE TECIC  
IL DEPT OF NATURAL RESOURCES  
MICHAEL A BILANDIC BLDG 160 N LASALLE ST STE S-700  
CHICAGO IL 60601

KENNETH WESTLAKE  
CHIEF  
ENVIRONMENTAL REVIEW BR  
US ENVIRONMENTAL PROTECTION AGENCY (EPA)  
ME-19J 77 WEST JACKSON  
CHICAGO IL 60604

MARK DRESSEL  
PRINCIPAL ASST ATTORNEY  
METROPOLITAN WATER RECLAMATION DIST  
100 E ERIE ST  
CHICAGO IL 60611-2803

JOSEPH SCHUESSLER PE, CFM  
PRINCIPLE CIVIL ENGR  
COLLECTION FACILITIES ENGR DEPT  
METROPOLITAN WATER RECLAMATION DIST  
111 E ERIE ST  
CHICAGO IL 60611-3154

CAWS INTERESTED PARTIES

98F

KICKAPOO TRADITIONAL TRIBE OF TEXAS  
HC1 BOX 9700  
EAGLE PASS TX 78852

DEANNE BAHR  
NAGPRA COORDINATOR  
SAC & FOX NATION OF MO IN KS & NB  
305 N MAIN  
RESERVE KS 66434-9723

RUSSEL BRADLEY  
CHAIRMAN  
KICKAPOO OF KANSAS TRIBAL COUNCIL  
1107 GOLDFINCH RD  
HORTON KS 66439

TALBERT DAVENPORT  
SAC & FOX TRIBE OF THE MISSISSIPPI IN IA  
349 MESKWAKI RD  
TAMA IA 52339-9629

TAMARA FRANCIS  
NAGPRA DIRECTOR  
DELAWARE NATION OF OKLAHOMA  
PO BOX 825  
ANADARKO OK 73005

DAVE GRIGNON  
TRIBAL HISTORIC PRESERVATION OFFICER  
WI INTER-TRIBAL REPATRIATION COMMITTEE  
MENOMINEE INDIAN TRIBE OF WISCONSIN  
W 3426 CTY VV WEST PO BOX 910  
KESHENA WI 54135-0910

RON HARRIS SR  
NAGRAPA CONTACT REPRESENTATIVE  
COMMITTEE MEMBER  
SAC & FOX NATION OF OKLAHOMA  
920883 S HWY 99 BLDG A  
STROUD OK 74079

SANDRA KEO  
DELEGATE  
SAC & FOX OF MISSOURI  
305 N MAIN RR 1 BOX 60  
RESERVE KS 66434

LISA KRAFT  
CULTURAL RESOURCES MGMT CONSULTANT  
CITIZEN POTAWATOMI NATION  
1601 S GORDON COOPER DR  
SHAWNEE OK 74801

SANDRA MASSEY  
NAGPRA COORDINATOR  
CULTURAL RESOURCES  
SAC AND FOX NATION  
920883 S HWY 99 BLDG A  
STROUD OK 74079

KENNETH MESHIGUAD  
CHAIRMAN  
HANNAHVILLE INDIAN COMMUNITY COUNCIL  
N14911 HANNAHVILLE B1 RD  
WILSON MI 49896-9728

JULIE OLDS  
CULTURAL PRESERVATION OFFICER  
MIAMI TRIBE OF OKLAHOMA  
PO BOX 1326  
MIAMI OK 74355

ZACHARIAH PAHMAHMIE  
TRIBAL CHAIRPERSON  
NATIVE AMERICAN GRAVES PROTECTION  
PRAIRIE BAND POTAWATOMI TRIBAL COUNCIL  
16281 Q ROAD PO BOX 97  
MAYETTA KS 66509

KAY RHOADS  
PRINCIPAL CHIEF  
SAC AND FOX OF OK BUSINESS COUNCIL  
920883 S HWY 99 BLDG A  
STROUD OK 74079

CAWS INTERESTED PARTIES

98F

GILBERT SALAZAR  
CHAIRMAN  
KICKAPOO OF OKLAHOMA BUSINESS COUNCIL  
PO BOX 70  
MC CLOUD OK 74851

LAURA SPUR  
DIRECTOR  
NOTTAWASEPPI HURON POTAWATOMI TRIBAL OFC  
2221 1 1/2 MILE RD  
FULTON MI 49052

JOSEPH STANDING BEAR  
MIDWEST SOARRING FOUNDATION  
PO BOX 275  
LYONS IL 50534

PAUL STRACK  
CHIEF  
MIAMI NATION OF INDIANS OF INDIANA  
PO BOX 41  
PERU IN 46970

JOHN P WARREN  
TRIBAL COUNCIL CHAIRMAN  
POKAGON BAND OF POTAWATOMI INDIANS  
PO BOX 180 58620 SINK RD  
DOWAGIAC MI 49047

CHAD WAUKECHON  
CULTURAL PLANNER  
MENOMINEE INDIAN TRIBE OF WISCONSIN  
PO BOX 910  
KESHENA WI 54135-0910

CLARICE WERLE  
HISTORICAL PRESERVATION OFCR  
WISC INTER-TRIBAL REPATRIATION COMM  
FOREST COUNTY POTAWATOMI EXE COUNCIL  
5415 EVERYBODY'S RD EXEC OFC BLD PO BOX 340  
CRANDON WI 54520

THE GREAT LAKES HISTORICAL SOCIETY  
1701 FRON ST  
TOLEDO OH 43605

WESTERN SPRINGS HISTORICAL SOCIETY  
PO BOX 139  
WESTERN SPRINGS IL 60558

TINLEY PARK HISTORICAL SOCIETY  
PO BOX 325  
TINLEY PARK IL 60477

WESTCHESTER HISTORICAL SOCIETY  
11225 CONSTITUTION DR  
WESTCHESTER IL 60154

THORNTON TOWNSHIP HISTORICAL SOCIETY  
66 WATER ST  
PARK FOREST IL 60466

C/O REID NELSON  
OFAP DIRECTOR  
ATTN: MR THOMAS MCCULLOUGH  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
401 F ST NW STE 308  
WASHINGTON DC 20001-2637

S CHICAGO PROP MGMT  
11401 S GREEN BAY AVE  
CHICAGO IL 60617-7100



CAWS INTERESTED PARTIES

98F

L B ANDERSEN & CO INC  
220 HONEY LAKE CT  
N BARRINGTON IL 60010-2459



FAX 217/524-7525

Various County  
Cook, Dupage & Will Counties  
Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River  
COERI  
Dredged material management plan, Chicago Area Waterway System

PLEASE REFER TO: IHPA LOG #010100214

October 16, 2014

Kenneth A. Barr  
U.S. Army Corps of Engineers, Rock Island District  
Chief, Economic and Environmental Analysis Branch  
Clock Tower Building - Post Office Box 2004  
Rock Island, IL 61204-2004

Dear Mr. Barr:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

## **Attachment #4**



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS - ROCK ISLAND DISTRICT  
CLOCK TOWER BUILDING - PO BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

November 3, 2014

REPLY TO  
ATTENTION OF

Regional Planning and Environmental  
Division North (RPEDN)

SEE DOCUMENT DISTRIBUTION LIST

The U.S. Army Corps of Engineers (Corps) is currently planning the Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP) for navigation channel maintenance of the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River, Chicago Harbor, and Chicago River projects located in Cook, DuPage, and Will Counties in Northeastern Illinois (Enclosure 1). Proposed dredging and placement of dredged material for the CAWS DMMP is a Federal undertaking and requires coordination and compliance promulgated under the National Environmental Policy Act (NEPA) and other relevant Federal and State environmental laws, including (but not limited to) Section 7 of the Endangered Species Act of 1966, as amended (ESA).

Authorization and improvements for Chicago Harbor were authorized by the River and Harbor Act of 1870 and subsequent River and Harbor Acts. Chicago River improvements were authorized by the River and Harbor Act of 1896 and subsequent River and Harbor Acts. Since the initial authorization of an outer Calumet Harbor protected by breakwaters in 1899, the dimensions, shape, and depth of the Federal channel have been modified by subsequent acts. Improvements to the South Branch of the Chicago River were first authorized as part of Chicago River improvements in 1896. The River and Harbor Act of 1919, however, eliminated the north fork of the south branch from the maintained channel. In 1930, when the Illinois Waterway Project was established, maintenance to a useable depth of 9 feet was authorized. The Corps is authorized to perform operation and maintenance activities on the IWW by the Rivers and Harbors Act of 1927; as modified by the Rivers and Harbors Acts of 1930, 1932, and 1935; and a Resolution of the House Committee on Flood Control of September 19, 1944. These Acts and Resolution authorize the construction, operation, and maintenance of the 9-foot navigation channel on the IWW, including the Calumet-Sag Channel and the Chicago Sanitary and Ship Canal, between the mouth of the Illinois River near Grafton, Illinois, and the mouths of the Chicago and Calumet Rivers to Lake Michigan. The River and Harbor Acts of 1946 and 1957 authorized widening of the channel along with other improvements to support use of the channel by commercial vessels.

Dredging within the CAWS has the potential for removing and depositing contaminated sediments which require CDFs to isolate the contamination. The Corps proposes land-based CDFs where the material would be confined with earthen berms. Impermeable clay liners within the CDFs will prevent seepage of effluent from the contaminated sediment into surrounding soils and water tables. Existing paving, impermeable soils, or artificial surfaces would remain to support the liners and provide additional protection against seepage. Dock construction for access

and staging would consist of excavation to cut back the sloped bank approximately 50 feet and driving a sheet pile wall to the bottom of the channel (and further as required for stability). There is not expected to be any fill required, and dock structures would be approximately 400 feet long.

Out of more than 50 different locations previously investigated for suitability as CDF locations, three proposed dredged material placement sites have been identified (313R, 329L-B, 330L) and have been determined feasible alternatives for CDFs (Enclosure 2). One or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields, or land surfaces that exhibited heavy industrial disturbances, all within Cook County. The proposed CDF sites can be described as follows: completely paved (313R), partially remediated brownfield (329L-B), and existing storage steelyard (330L). Only two of the sites, 313R and 329L-B, would require dock construction. There is an existing sheetpile wall at 330L, so no new construction is expected to be necessary at that site. Water discharged from the CDF will be monitored and treated, and the CDF will be capped when full capacity is attained.

Natural resources within and adjacent to the CDF alternative sites are characteristic of those associated with disturbed urban environments of the upper Midwest. Ground surfaces within the sites are primarily pavement or fill material. Lands on the periphery of, or adjacent to, the proposed sites are a mixture of paved urban surfaces and historic fill overgrown with early successional vegetation. Within the latter areas are a few remnant fringes of natural habitat invaded by non-native vegetation and subject to disturbance by ongoing urban activities such as traffic, utilities maintenance, and waste disposal.

Federally-listed endangered and threatened species known to occur or potentially occurring in Cook County include the northern long-eared bat (*Myotis septentrionalis*), currently proposed for listing; the piping plover (*Charadrius melodus*) listed endangered; the eastern massasauga (*Cistrurus catenatus*), currently a candidate for listing; the Hine's emerald dragonfly (*Somatochlora hineana*), listed endangered and with designated critical habitat within the county; the rattlesnake-master borer moth (*Papaipema eryngii*), currently a candidate for listing; the eastern prairie fringed orchid (*Platanthera leucophaea*), listed threatened; the leafy-prairie clover (*Dalia foliosa*), listed endangered; Mead's milkweed (*Asclepias meadii*), listed threatened; and the prairie bush clover (*Lespedeza leptostachya*), listed threatened.

The northern long-eared bat roosts and forages in upland woods and forests during summer months, and hibernates in caves and mines during winter months, swarming in surrounding wooded areas in autumn. These habitats are not present in any of the proposed CDF areas, aside from a few scattered trees on the periphery. Within the Great Lakes region, the piping plover nests on lakeshore beaches, which also are not found in any of the CDF sites. The eastern massasauga lives in wet areas with graminoid dominated vegetation, including fens, sedge meadows, peatlands, wet prairies, and open woodlands and shrublands adjacent to rivers and lakes. These habitat types are absent from the interior of the proposed CDF sites.


The Hine's emerald dragonfly inhabits calcareous spring-fed wetlands, wet meadows, and marshes overlaying dolomite bedrock in Illinois, Missouri, Michigan, and Wisconsin. The USFWS published a Final Rule designating critical habitat for this species on April 23, 2010, which includes several areas in DuPage, Will, and Cook Counties. Of the three designated Critical Habitat areas within or adjacent to Cook County, none are located near the proposed CDF units (the nearest CDF site is approximately 4 miles east of the closest Critical Habitat unit).

The rattlesnake-master borer moth is found in undisturbed prairie and woodland openings that contain their only known food plant, rattlesnake-master. The eastern prairie fringed orchid is found in moderate to high quality wetlands, sedge meadows, marsh, and mesic to wet prairie. The leafy-prairie clover occurs in prairie remnants on thin soil over limestone. Mead's milkweed may be found in late-successional tallgrass prairie, tallgrass prairie converted to hay meadow, and glades or barrens with thin soil. The prairie bush clover occurs in dry to mesic prairies with gravelly soil. These habitat types are not found at any of the proposed CDF sites. For this reason, the Corps has determined that construction and use of any of the proposed sites is not likely to adversely affect any of the eight federally-listed endangered, threatened, candidate, or proposed animal or plant species.

The Illinois Department of Natural Resources has identified 117 state-listed threatened and endangered species as occurring or potentially occurring in Cook County. While the disturbed and urbanized nature of the proposed CDF sites makes it unlikely that any state-listed species will be significantly affected by the proposed CDF development and future dredged material placement, any information or you may have concerning these species or other natural resource concerns with the proposed sites should be provided to our office within 30 days of the date of this letter. If you do not respond during this timeframe, we will assume you have no objections to the proposed action and will proceed with completion of the planning report and NEPA documentation. Comments received in response to this letter will be addressed and incorporated into the Environmental Assessment currently being prepared for this action.

If your agency has questions or comments, please call Ms. Charlene Carmack of our Environmental Analysis Branch, telephone 309/794-5570, or write to our address above, ATTN: Planning, Programs, and Project Management Division (Charlene Carmack).

Sincerely,



Kenneth A. Barr  
Chief, Environmental Planning Branch RPEDN

Enclosures (2)

## DISTRIBUTION LIST

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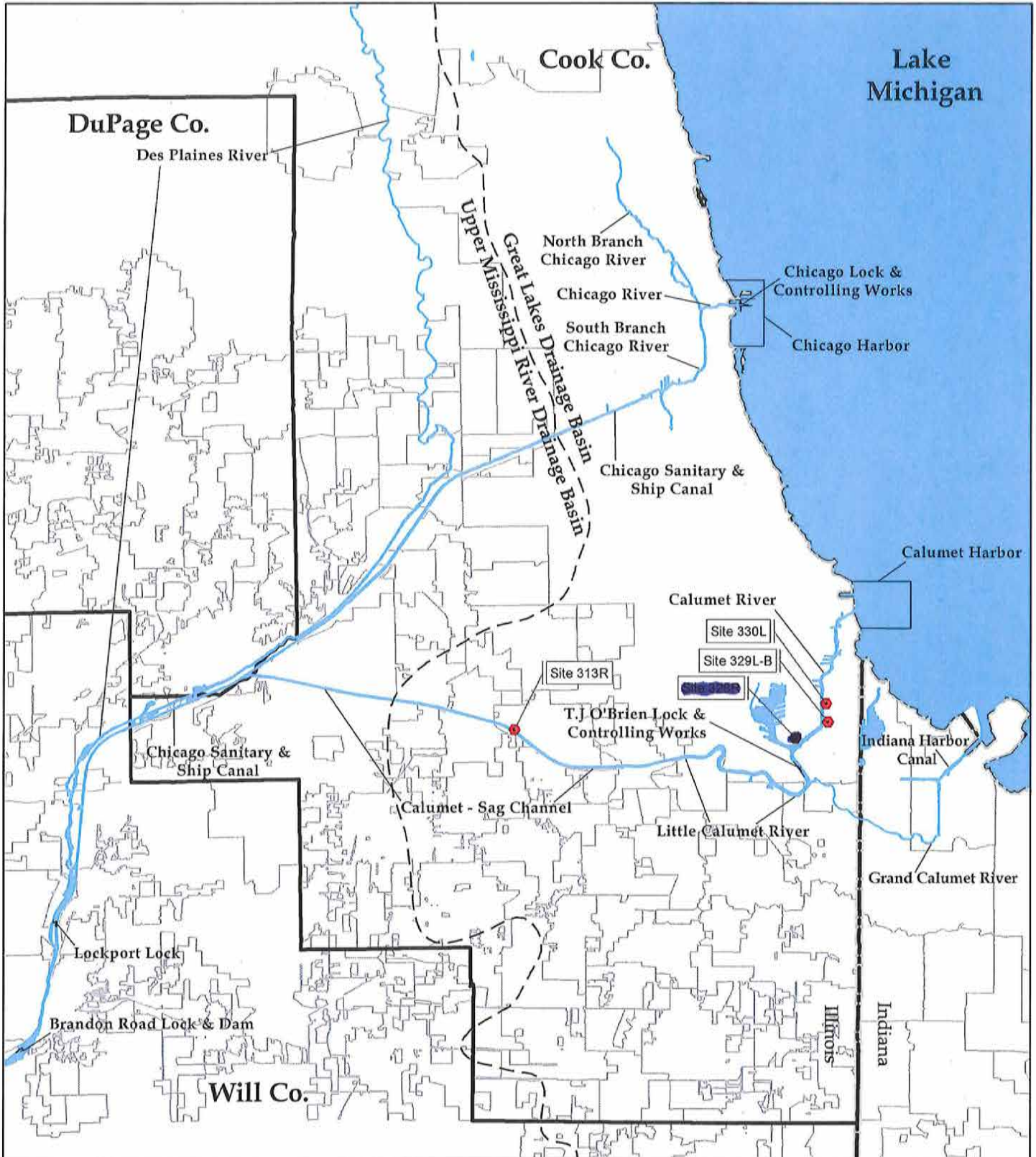
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KENNETH WESTLAKE  
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ENVIRONMENTAL REVIEW BR  
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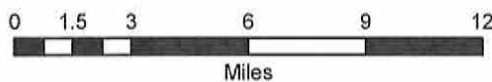
SHAWN CIRTON  
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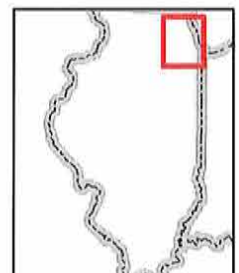
Chicago Area Waterway System - Location Map

Legend

- Potential Placement Site Alternative



US Army Corps of Engineers®  
Rock Island District





## **ENCLOSURE 2**

Chicago Area Waterway System  
DMMP Alternative Sites

































# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

December 5, 2014

Charlene Carmack  
Environmental Analysis Branch  
USACE – Rock Island District  
Rock Island, IL 61204-2004

**RE: Chicago Area Waterway System, Dredged Material Placement Plan & Dredging  
Project Number(s): 1506825  
County: Cook, DuPage, & Will**

Dear Ms. Carmack:

The Illinois Department of Natural Resources has reviewed the Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP) for navigation channel maintenance of the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, Calumet Harbor and River, Chicago Harbor, and Chicago River (including North and South Branch) dated November 3, 2014.

Three placement sites for dredged material are proposed and are located within highly disturbed land areas with either paved surfaces or fill material. Sites 329L-B and 330L are located along the Calumet River and 313R is located along the Calumet-Sag Channel. Sites 313R and 329L-B with require dock construction. Water discharging from the sites will be monitored and treated to isolate contaminants.

The U.S. Army Corps of Engineers requested information on state-listed threatened and endangered species potentially affected by the proposed navigation channel maintenance projects in the CAWS to be included in planning reports and NEPA documentation. Specific to the proposed dredged material placement sites, records of the state-threatened banded killifish (*Fundulus diaphanus*) occur in the Calumet-Sag Channel and Calumet River. This species has the potential to be affected by construction of the proposed docks at sites 313R and 329L-B. State-listed species and species proposed for listing that have the potential to be affected by dredging in the CAWS are summarized in the table below:

<b>Waterbody</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Status</b>
LM, CSC, CR, CSSC, CHR	American eel	<i>Anguilla rostrata</i>	Proposed as threatened
LM, CSC, CR, CSSC, CHR	Banded killifish	<i>Fundulus diaphanus</i>	Threatened
CSSC, CHR	Blanding's turtle	<i>Emydoidea blandingii</i>	Endangered
CHR	Iowa Darter	<i>Etheostoma exile</i>	Threatened
LM	Longnose sucker	<i>Catostomus catostomus</i>	Threatened
LM, CR, CHR	Mudpuppy	<i>Necturus maculosus</i>	Threatened
LM, CSC, CR, CSSC, CHR	Osprey	<i>Pandion haliaetus</i>	Endangered

Lake Michigan = LM, Calumet-Sag Channel = CSC, Calumet River = CR, Chicago Sanitary and Ship Canal = CSSC, Chicago River (including North and South Branch) = CHR

Thank you for the opportunity to provide information to be included in your Environmental Assessment of navigation channel maintenance in the CAWS. Please contact me if I can be of further assistance.



Nathan Grider  
Impact Assessment Section  
217-785-5500





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 18 2014

REPLY TO THE ATTENTION OF E-19J

Charlene Carmack  
Planning, Programs, and Project Management Division  
U.S. Army Corps of Engineers  
Rock Island District  
Clock Tower Building – P.O. Box 20024  
Rock Island, Illinois 61204-2004

Re: Scoping Comments concerning proposed Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP), Cook, DuPage, and Will Counties, Illinois

Dear Ms. Carmack:

The U.S. Environmental Protection Agency has reviewed the above-mentioned scoping request announcing the U.S. Army Corps of Engineers' (USACE) plan for navigation channel maintenance dredging and disposal of dredged materials from the Calumet-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River, Chicago Harbor, and Chicago River. Our review was conducted pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Scoping documents indicate dredging within the CAWS has the potential to remove contaminated sediments which require disposal in a confined disposal facility (CDF) to isolate contamination. USACE is proposing land-based CDFs to confine contaminated sediments within earthen berms. Impermeable clay liners within the CDFs will prevent seepage of effluent from contaminated sediments into surround water tables and soils. Dock construction for access and staging would consist of cutting back the sloped bank approximately 50 feet and driving a sheet pile wall to the bottom the channel to provide stability.

USACE investigated approximately 50 locations for CDF location suitability. Of those 50 locations originally investigated, three proposed dredged material placement sites have been identified as feasible alternatives for CDFs as identified in Enclosure 2 of the scoping request. One or more proposed CDFs will be constructed on reclaimed brownfields, land surfaces that exhibited heavy industrial disturbances or paved surfaces within Cook County. Scoping materials indicate that water discharged from the CDF will be monitored and treated, and the CDF will be capped when its full capacity is attained.

Based on our review of the limited scoping information, we offer the following comments, categorized by topic, to aid USACE in developing the environmental analysis.

## **PROJECT FEATURES**

1. Scoping materials indicate three potential CDF locations remain from a starting point of approximately 50 locations.  
**Recommendation:** USEPA recommends the forthcoming NEPA analysis discuss the process by which potential CDF sites were identified and the elimination criteria that resulted in the three locations identified in Enclosure 2.

2. Scoping materials indicate that one or more proposed CDFs will be constructed within Cook County.  
**Recommendation:** USEPA anticipates the forthcoming NEPA analysis will indicate 1) which river miles are slated for dredging, 2) quantity of material that will be dredged annually, 3) duration of operation for the CDF, 4) anticipated quantity of material that will be dredged over the life of the CDF, 5) a conceptual CDF design for the three potentially feasible sites including the mechanisms/processes for the collection, handling and treatment of waste water, and 6) an environmental site-characterization summary for the three location identified as potentially feasible.

Additionally, USEPA anticipates the method(s) proposed for dredging sediments (e.g., mechanical dredging) will be discussed. We recommend the analysis cover whether any modifications to the bucket are proposed to minimize resuspension of contaminated sediment into the water column. If a groundwater collection system is proposed, its proposed location and what the collection system will be connected to (e.g., sump pits, on-site wastewater treatment system, etc.) should be discussed in the NEPA analysis.

Transport of sediments should also be discussed. Will sediments be transported overland or slurried and hydraulically placed in the CDF from a barge on the canal adjacent to the CDF?

3. Scoping materials indicate a land-based CDF(s) is proposed where the material would be confined with earthen berms and impermeable clay liners to prevent seepage of effluent from contaminated sediment. Dock construction for access is also proposed.  
**Recommendation:** USEPA anticipates the forthcoming NEPA analysis will discuss the type of materials proposed for CDF construction and the source for said materials. How will construction materials be transported to the site? In particular, what impact to road and/or CAWS traffic will be realized as construction materials as delivered to the site(s)?
4. Acknowledging that project design has not begun, USEPA anticipates the proposed operating cycle will be outlined as much as possible at this stage in project development. For example, will the CDF be comprised of more than one sediment dewatering and containment cell with the cells being operated on a multi-year cycle? We recommend including a schematic of the operating cycle of the CDF.
5. Scoping materials indicate the CDF will be capped when full capacity is attained.  
**Recommendation:** USEPA recommends the inclusion of a preliminary CDF cap design in the NEPA analysis. Additionally, the EA should include a an overview of the operational and post-closure groundwater monitoring to ensure integrity of the CDF is maintained to

prevent releases to the environment (e.g., summary of the groundwater monitoring program for the CDF operational and post-closure period, etc.).

6. Various Acts and Resolutions authorizing USACE to construct, operate, and maintain the 9-foot navigation channel were included in the scoping materials.

**Recommendation:** In an effort to reduce future dredging amounts, USEPA recommends forthcoming NEPA analysis discuss the effectiveness of bedload interceptors to collect material at key locations before it enters the ship channel and becomes contaminated by pollutants in the shipping canal's industrial areas.

### **CONTAMINANT IDENTIFICATION**

1. Concentrations of chemical components that will be dredged and disposed of in the proposed CDF at any given time may vary by location in the waterway where dredging occurs and the depth profile of the sediments removed. Therefore, data on chemical contaminants in buried sediment sampled from various points along the waterway is necessary to provide an estimation of reasonable long-term average concentrations of contaminant levels that could be expected within the CDF over the life of the project.

**Recommendation:** USEPA recommends the forthcoming NEPA analysis discuss sediment sampling and characterization methodology and list all chemicals of concern. We anticipate the NEPA analysis will indicate: 1) whether sediment characterization appropriately reflects the nature and extent of contamination over all reaches proposed for dredging and addresses known sources of contamination within the project area (e.g., steel mills, oil refineries, chemical plants, etc.), 2) the age of sampling data. We recommend sediment characterization core samples extend below the navigational dredging depth in order to characterize sediment that will become exposed following proposed dredging, and 3) we recommend that sediment sampling and chemical characterization data be updated with new sampling; alternatively, USACE should provide rationale for why existing characterization data are adequate for understanding the nature of chemical contamination over the proposed reaches of the project.

Sampling locations (data points) will provide comprehensive coverage of the geographic area targeted for dredging as well as the depths to which data on buried sediments will be collected via sampling and testing. Please include data reports and exhibits depicting approximate sampling locations as appendices that include adequate descriptions of sampling locations, sample collection methodology (through the use of bathymetry maps of the project area), sediment-core-compositing intervals, quality assurance/quality control parameters (e.g., analytical method procedures, constituent detection limits), and the identity/class of chemical contaminants from the following classes: metals, polyaromatic hydrocarbons (PAHs), polychlorinated biphenols (PCBs), pesticides/herbicides, petroleum hydrocarbons (e.g., BTEX (benzene, toluene, ethylbenzene, and xylene compounds), naphthalenes)), volatile hydrocarbons, or others as the data show. Lastly, a summary of the data collected would be informative if included as a table within the main body of the NEPA analysis.

Discuss uncertainty, if any, associated with sampling and analyses (e.g., concentration levels assigned to Potential Contaminants of Concern (PCOCs) in bulk sediment, presence of contaminants in bulk sediments not analyzed in historical sampling efforts, etc.).

### **AIR IMPACTS ANALYSIS**

1. After sediment is placed in the CDF, contaminant releases could occur in the form of volatile or particulate emissions.

**Recommendation:** The forthcoming analysis should discuss the contaminant emission and dispersion modeling program and the air monitoring program the USACE intends to follow for the operation of the CDF. Additionally, will a regulatory compliance limit for emissions be applied to the CDF? If so, what will the limit be?

We anticipate USACE will conduct modeling to estimate the levels of emissions from the CDF and whether those emissions will conform to limits, if any, set by Illinois EPA on the amount of air pollution (e.g., particulates and/or toxic volatile contaminants) that can be released from the CDF(s). The emissions discussion should include: 1) time of year when dredging will take place, 2) time of year when a cell would receive dredged sediments, 3) how long a cell will remain wet, and 4) whether site-specific operational, meteorological and geographic data was used.

Additionally, we recommend a comparison of proposed CDF particulate and volatile toxic air contaminant emissions to emissions reported in the Toxic Release Inventory be conducted and reported in the NEPA analysis.

Emissions from both toxics and criteria emissions, such as diesel and NO<sub>x</sub> from activities such as pumps, barges, construction equipment, etc. should also be included in the analysis. If these emissions are found insignificant, USACE needs to provide justification for that.

2. Location of monitors measuring contaminants from CDF after disposal has begun should be shown on an exhibit. Air quality monitoring during CDF operation and post-closure should be discussed.
3. Include a discussion of potential mitigation measures to reduce particulate matter emissions from the CDF. As part of this discussion, please provide an outline for possible mitigation measures and how they would be evaluated. Based on discussions between USEPA and USACE for the Indiana Harbor CDF, we suggest the following be considered: keeping the disposed sediments ponded as much as possible; installing tree lines or wind-break fences to reduce the upgradient wind currents passing over the sediments; seeding the disposed sediments to create a vegetation layer; or a combination of those.
4. In order to protect air quality during construction and operation of the CDF, we recommend implementation of one or more of the following measures where feasible:

- Reduce emissions of diesel particulate matter (DPM) and other air pollutants by using particle traps and other technological or operational methods. Control technologies, such as traps, control approximately 80 percent of DPM. Specialized catalytic converters (oxidation catalysts) control approximately 20 percent of DPM, 40 percent of carbon monoxide emissions, and 50 percent of hydrocarbon emissions.

- Ensure that diesel-powered construction equipment is properly tuned and maintained, and shut off when not in direct use.
  - Prohibit engine tampering to increase horsepower.
  - Locate diesel engines, motors, and equipment as far as possible from residential areas and sensitive receptors (e.g., schools, daycare centers, and hospitals).
  - Require low sulfur diesel fuel (<15 parts per million), if available.
  - Reduce construction-related trips of workers and equipment, including trucks.
  - Lease or buy newer, cleaner equipment at the Tier 2 level or higher, using a minimum of 75 percent of the equipment's total horsepower.
  - Use engine types such as electric, liquefied gas, hydrogen fuel cells, and/or alternative diesel formulations, if feasible.
  - Use construction equipment retrofitted with diesel oxidation catalysts or diesel particulate filters from the Verified List from EPA or the California Air Resources Board.
- Additionally, emissions will be further reduced by installing retrofit emission control devices on all non-road equipment with higher emissions than EPA's Tier 2 Standards. The following table indicates the model year for which these standards take effect. Equipment that is of a model year older than the year given for that equipment's respective horsepower range should be retrofitted.

<u>Horsepower Range</u>	<u>Model Year (or newer)</u>
50-99	2004
100-299	2003
300-599	2001
600-749	2002
750 and up	2006

We recommend USACE discuss plans for reducing emissions from the proposed project. We also recommend commitments to include emissions reduction measures appropriate to CDF construction and dredging operations be included in the decision document.

### **HUMAN HEALTH IMPACTS**

1. Scoping materials indicate one or more proposed CDFs will be constructed directly on paved surfaces, reclaimed brownfields or land surfaces that exhibited heavy industrial disturbances. The three proposed CDF sites are located in Cook County.

**Recommendation:** The NEPA analysis should evaluate the potential for impacts to human health. In particular, consider the location of dredging activities and the CDF(s) in relation to sensitive receptors (e.g., schools, day care centers, hospitals, neighborhoods, etc.). All sensitive receptor locations should be identified and shown on an exhibit for each proposed CDF site with distance between receptor location and CDF designated. Basic current population demographics and human activities information should also be provided for the proposed CDF sites.

When considering human health risk assessment (HHRA), it is important that technical analysis is preceded by planning, scoping, and problem formulation. This process is referenced most recently in USEPA's Framework for HHRA to Inform Decision Making



(Framework for HHRA)<sup>1</sup>. Page 6 of the Framework for HHRA states: "...The initial stage in conducting any EPA risk assessment focuses on carefully characterizing the task to be completed; it includes planning and scoping and problem formulation components." Such components include public, stakeholder, and community involvement. USEPA looks forward to discussing the project in greater detail with USACE project team members, and, in particular, discussing USACE plans for public involvement activities for the proposed CAWS DMMP. Public involvement activities could be crucial to USACE's timeline for dredging and constructing the CDF. Siting a CDF for dredged Indiana Harbor sediments in East Chicago, Indiana, was a multi-year process, in part, due to community concern and resistance.

To assist USACE in addressing human health impacts, we provide the following items as a general approach to characterizing human health risk for dredging projects.

1. Estimate potential emissions of relevant contaminants from dredged sediments both (a) during dredging of the waterways and (b) during sediment transport to, placement in, and long term storage at the CDF. Assuming long term dredging of many river miles of sediment less-than-optimally sampled for contaminants of concern, this exercise is likely to be a tall order and result in considerable uncertainty.
2. Estimate potential air dispersion, transport, and fate of contaminants characterized in item 1 above.
3. Estimate potential human exposure to contaminants characterized in item 2 above in the vicinity of the dredged river miles and the selected CDF site (i.e. the defined study area), including potential ingestion, inhalation and dermal routes of exposure.
4. Estimate potential human health risks/hazards from exposures in item 3 above.
5. Include description of uncertainties and limitations associated with estimates generated in items 1-4 above.

USEPA Region 5's 2006 Indiana Harbor Supplemental Risk Assessment<sup>2</sup> provides a relatively recent example of how air emissions from dredged contaminated sediments were characterized for HHRA at a USACE CDF.

## **CLIMATE CHANGE**

1. We recommend the NEPA analysis address the potential for climate change to impact dredge operations. Specifically, we suggest the discussion focus on how a change in precipitation

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<sup>1</sup> USEPA, 2014. *Framework for Human Health Risk Assessment to Inform Decision Making* (<http://www.epa.gov/raf/frameworkhhra.htm>)

<sup>2</sup> USEPA, 2006. *Supplemental Risk Assessment of Potential Air Emissions from the Confined Disposal Facility for the Indiana Harbor and Shipping Canal Sediment Dredging and Disposal Project, December 2006* (<http://www.epa.gov/region5/cleanup/indianaharbor/index.htm>)

and water levels could affect dredging operations and, consequently, CDF capacity over the proposed life of the project. For example, if precipitation and water levels exhibit a downward trend, more material would need to be removed, affecting projected CDF capacity. We believe the analysis would benefit from a qualitative discussion focused on recent water level trends, whether the amount of material which needs to be dredged to maintain authorized depths is changing, and, if this is the case, whether this factor has been accounted for in the design of the CDF.

In addition, we recommend the NEPA analysis discuss the diurnal and seasonal weather patterns and how weather fluctuations were used in the emissions estimate development. The analysis should also assess if the proposed sites, design and engineering issues can handle the extreme weather events, such as heavy rains, wind storms, tornadoes, and floods.

### **FEDERALLY- AND STATE-LISTED THREATENED OR ENDANGERED SPECIES**

1. Scoping materials indicate natural resources within and adjacent to the three feasible alternative sites are characteristic of those associated with distributed urban environments of the Upper Midwest. A list of Federally-listed threatened or endangered species was included in the scoping materials. Additionally, 117 state-listed threatened or endangered species can potentially occur in Cook County.

**Recommendation:** Questions regarding potential impact to Federally- or state-listed species should be referred to the US Fish and Wildlife Service and the Illinois Department of Natural Resources, respectively.

### **OTHER**

1. Discuss public outreach planned.
2. Indicate whether Illinois Environmental Protection Agency is the local partner for the proposed project.
3. Include coordination with Federal, state, and local agencies to secure necessary permits.
4. Evaluate applicability of all permitting requirements and present the results to the Illinois EPA with the USACE's construction or operating permit application, as well as including analysis of permit requirements in the NEPA documentation. In particular, we recommend USACE estimate potential emissions from the proposed CDF(s) and review the applicability criteria under each permitting program (minor NSR, NNSR, PSD, and Title V). USEPA requests USACE include emission estimates in the NEPA documentation which will enable us to determine which permitting rules may apply. Additionally, USACE also needs to address how it plans to control those emissions. As part of USEPA's responses to previous scoping requests for similar projects, we have asked for some modeling information to show that adverse air quality or health impacts are not expected from any of the projects; this information would assist USEPA in evaluating the proposed project.

In summary, we recommend future NEPA analyses provide outlines for conducting: a contaminant characterization, an emissions analysis, a sensitive receptor identification and basic demographic information. You may find the December 2006 *Supplemental Risk Assessment of Potential Air Emissions from the Confined Disposal Facility for the Indiana Harbor and Shipping Canal Sediment Dredging and Disposal Project* to be a useful source document for addressing the topics mentioned above.

We appreciate the opportunity to provide comments at the earliest stage of the proposed project. We invite the USACE to our offices in Chicago to discuss the proposed project and the contents of this letter. We are available beginning the latter half of January. Please advise on the project team's availability early in 2015.

If you have any questions concerning the contents of this letter, please do not hesitate to contact me or Kathy Kowal of my staff at (312) 353-5206 or via email at [kowal.kathleen@epa.gov](mailto:kowal.kathleen@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written over a white background.

Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement & Compliance Assurance

**From:** [Clemency, Louise](#)  
**To:** [Carmack, Charlene MVR](#)  
**Cc:** [Shawn Cirton](#)  
**Subject:** [EXTERNAL] Re: FW: ready for Sarah (UNCLASSIFIED)  
**Date:** Wednesday, December 31, 2014 10:57:52 AM

---

Good morning Charlene,  
I wanted to let you know that we had no concerns with the listed species information provided in the scoping letter and that we do not intend to provide comments.  
Thank you for reaching out to us to confirm.

Louise

Louise Clemency  
Field Supervisor  
U.S. Fish and Wildlife Service  
Chicago Ecological Services Office  
1250 S. Grove Ave., Suite 103  
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(847) 381-2253, Ext. 11  
[louise\\_clemency@fws.gov](mailto:louise_clemency@fws.gov)

NOTE: All email correspondence and attachments received from or sent to me are subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

On Tue, Dec 23, 2014 at 11:22 AM, Carmack, Charlene MVR <[Charlene.Carmack@usace.army.mil](mailto:Charlene.Carmack@usace.army.mil)> wrote:

Good morning Louise,

I am forwarding the coordination letter we spoke about earlier today, with enclosures as well. Hopefully this will help in tracking down where/to whom your agency response may have been sent. Please let me know if you have additional questions or have problems opening the attachments. Thanks!

Charlene Carmack  
USACE, Rock Island  
Environmental Compliance Section

-----Original Message-----

From: Rodkey, Mary E MVR  
Sent: Monday, November 03, 2014 3:04 PM  
To: Carmack, Charlene MVR  
Subject: ready for Sarah (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS - ROCK ISLAND DISTRICT  
CLOCK TOWER BUILDING - PO BOX 2004  
ROCK ISLAND, ILLINOIS 61204-2004

19 FEB 2015

Regional Planning and Environmental  
Division North (RPEDN)

Mr. Kenneth A. Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Dear Mr. Westlake:

Thank you for your December 18, 2014 letter providing your scoping comments on the Chicago Area Waterway System Dredged Material Management Plan (CAWS DMMP) and for the February 4 meeting between your staff and U.S. Army Corps of Engineers (USACE) staff to discuss the proposed project. The recommendations in your comment letter will be addressed in the forthcoming National Environmental Policy Act (NEPA) analysis. The NEPA analysis will be documented in the CAWS DMMP report as an integrated Environmental Assessment (EA).


The EA will provide the rationale used in plan formulation and selection, a description of the project features and life cycle activities, and an assessment of the potential environmental effects of the tentatively selected plan. The proposed alternatives, as discussed in the scoping letter, include construction of a land-based Dredged Material Disposal Facility (DMDF) to replace the existing Chicago Area Confined Disposal Facility (CDF), which has been filled with dredged material over its more than thirty year life.

USACE has conducted extensive sediment sampling and analysis and the EA will present the procedures, methods, and results of the sediment characterization. The assessment of potential effects will encompass all aspects of the placement activities including construction, operations activities, and site closure. The potential for air emissions and groundwater impacts, including risks to human health and the environment, will be assessed based on site specific factors as well as the extensive data available from similar projects in the area such as the Chicago Area CDF and the Indiana Harbor CDF.

The EA will include an assessment of potential impacts to natural, cultural, and socioeconomic resources as well as compliance with Federal laws and regulations. Upon approval for release of the draft CAWS DMMP and Integrated Environmental Assessment for public review, USACE and the non-Federal sponsors will conduct public outreach to ensure that the public has an opportunity to review the proposed plan and provide input. In addition, the proposed project is being coordinated with the appropriate Federal, state, and local agencies including U.S. Fish and Wildlife Service, Illinois Department of Natural Resources, and Illinois Environmental Protection Agency. Additional coordination necessary to obtain required permits will be outlined in the EA and conducted after the NEPA analysis is completed and the project is in the design and construction phase.

We look forward to continued coordination with your agency on this project. Please contact Ms. Charlene Carmack, 309-794-5570 or [charlene.carmack@usace.army.mil](mailto:charlene.carmack@usace.army.mil), with any questions or to discuss further.

Sincerely,



Kenneth A. Barr  
Chief, Environmental Planning Branch  
RPEDN

## **Attachment #5**



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

June 9, 2015

Planning Branch

Honorable Dick Durbin  
U.S. Senator  
230 S. Dearborn Street, Suite 3892  
Chicago, IL 60604  
ATTN: Clarisol Duque

Dear Senator Durbin:

The U.S. Army Corps of Engineers (USACE), Chicago District, released for public comment today the "Chicago Area Waterway System Dredged Material Management Plan and Integrated Environmental Assessment." The plan contains recommendations for managing material dredged from the Calumet Harbor and River and the Calumet-Sag Channel for the next twenty-five years.

A public meeting will be held during the comment period, at a location near the proposed project site. A follow-up notice will be sent once the time, date, and location of the meeting have been determined.

Calumet Harbor and River is located on Lake Michigan in the City of Chicago, Illinois. Maintenance dredging of the channel produces an average yearly volume of approximately 50,000 cubic yards of material. The downstream Calumet-Sag Channel, part of the Illinois Waterway, includes both the Calumet-Sag and a portion of the Little Calumet River. Approximately 30,000 cy of sediment is expected to be dredged from the Calumet-Sag Channel over the next 25 years. Levels of metals, PCBs and PAHs are sufficiently high to preclude unconfined placement of the river and channel sediment.

Currently, dredged sediment is placed in the Chicago Area Confined Disposal Facility (CDF), located at the mouth of the Calumet River. The CDF, which was built in 1984, is nearly at capacity, creating the need for a management plan for the material generated through ongoing maintenance dredging.

The proposed plan would include construction of a dredged material disposal facility on a currently vacant portion of the former Republic Steel Manufacturing Complex, located along the Calumet River at 122<sup>nd</sup> Street and Carondelet Avenue in Chicago, and closure of the existing Chicago Area CDF. Details about the project and a copy of the report can be found at [www.lrc.usace.army.mil](http://www.lrc.usace.army.mil).

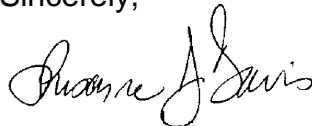


The Chicago Area Waterway System is an important link in the national and regional water transportation network, connecting the Great Lakes deep-draft navigation system with the Illinois Waterway and Mississippi River inland navigation system.

Comments may be submitted by mail to: U.S. Army Corps of Engineers, Chicago District, 231 S. LaSalle Street, Suite 1500, Chicago, IL 60604, ATTN: Planning Branch; or e-mailed to [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil). E-mailed comments must be received by July 15, 2015 and mailed comments must be postmarked by July 15, 2015.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Susanne J. Davis". The signature is written in a cursive style with a large initial 'S'.

Susanne J. Davis, P. E.  
Chief, Planning Branch



**Illinois Historic  
Preservation Agency**

1 Old State Capitol Plaza, Springfield, IL 62701-1512

FAX 217/524-7525

[www.illinoishistory.gov](http://www.illinoishistory.gov)

Various County

PLEASE REFER TO: IHPA LOG #010100214

Cook, Dupage Will Counties

Cal-Sag Channel, Chicago Sanitary and Ship Canal, South Branch of the Chicago River, Calumet Harbor and River Chicago Harbor, and Chicago River

*6-9-15: New construction, Dredged material disposal facility - Along the Calumet River, NE of 122nd Street & Carondelet Avenue (former Republic Steel Manufacturing Complex)*

COERI

Dredged material management plan, Chicago Area Waterway System

June 25, 2015

Susanne Davis

U.S. Army Corps of Engineers, Chicago District

231 S. LaSalle St., Suite 1500

Chicago, IL 60604

Dear Ms. Davis:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

Rachel Leibowitz, Ph.D.

Deputy State Historic

Preservation Officer

*Protecting Our Water Environment*

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**Metropolitan Water Reclamation District of Greater Chicago**

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**CATHERINE A. O'CONNOR, Ph.D., P.E.**  
Director of Engineering

312.751.7905 f: 312.751.5681  
catherine.o'connor@mwr.org

July 8, 2015

Ms. Susanne J. Davis, P.E.  
Chief, Planning Branch  
U.S. Army Corps of Engineers, Chicago District  
231 S. LaSalle Street, Suite 1500  
Chicago, IL 60604

Dear Ms. Davis:

Subject: Comments to Chicago Area Waterway System Dredged Material  
Management Plan and Integrated Environmental Assessment

Reference is made to your letter dated June 9, 2015, concerning the subject matter. The Metropolitan Water Reclamation District of Greater Chicago (MWRD) has reviewed the management plan and environmental assessment and has no objections. MWRD has facilities in the vicinity of the Republic Steel site but foresees no conflict. However, we will review future plans to ensure that our facilities are protected and 24-hour access is maintained. We will continue to participate in the process as it moves forward.

If you have any questions concerning this matter, please contact Joe Schuessler, Principal Civil Engineer, at (312) 751-3236.

Very truly yours,



Catherine A. O'Connor  
Director of Engineering

WSS:KMF:JMS:ms

## Friends of the Parks

July 13, 2015

### **RE: Dredged Material Management Plan 2015**

Friends of the Parks ("FOTP") is 40 a year old public interest, non-profit organization dedicated to the preservation and restoration of the public parks in the City of Chicago and to public access to all 30 miles of Chicago's Lake Michigan shoreline. As a stakeholder for decades, FOTP is concerned about the timeline for the U.S. Army Corps of Engineers' ("ACOE") operation of the Calumet Harbor – Chicago Area Confined Disposal Facility ("Chicago CDF"). The Chicago CDF is located on the shores of Lake Michigan and therefore prohibits public access to Lake Michigan as long as it is in operation as a depository for dredged materials. The land created by the filling of the Chicago CDF will become parkland when the facility reaches capacity.

The ACOE has been placing materials dredged from the nearby Calumet Harbor and River into the Chicago CDF since the early 1980s. As originally planned, the Chicago CDF was to be filled, closed and prepared for parkland ten years after its initial opening, *i.e.*, 1992. The ACOE has acknowledged that the CDF is almost full and is making long term plans to move to a new inland location. Though this process is long overdue, we are pleased to see progress related to the Chicago lakefront CDF.

FOTP, on behalf of the citizens of Chicago and users of the parks and shoreline, looks forward to the closing and capping of the Chicago CDF, and its preparation for use as parkland. FOTP would like to see a more aggressive timeline for closing the Chicago Confined Disposal Facility **before 2020**. Friends of the Parks commends the ACOE's Chicago Area Waterway System for transparency in their site-selection process. FOTP supports moving the Chicago CDF facility to an appropriate site that does not adversely affect neighborhoods that have historically been negatively impacted by environmental justice issues. We encourage the Army Corp. of

Engineers to either conduct additional research related to the long-term health impacts of exposure to dredged material or conduct an Environmental Impact Statement of the Republic Steel Site (Site 329L-B). The *Social Impacts /Environmental Justice* (Section 5) of the Dredged Material Management Plan needs a wider scope to address the concerns of community residents and other nearby environmental justice related issues. Finally, FOTP would like to ensure that the engineered barriers installed on the lakefront CDF site would allow for the expansion of Calumet Park without any significant adverse environmental impacts. Thank you for your consideration of our comments.

Sincerely,

*Melanie Moore*

Melanie Moore  
Friends of the Parks Director of Policy





## United States Department of the Interior



### US FISH AND WILDLIFE SERVICE REGION 3

Chicago Ecological Services Field Office  
1250 S. Grove Suite 103  
Barrington, IL 60010-5010  
Phone: (847) 381-2253 Fax: (847) 381-2285

IN REPLY REFER TO:  
FWS/AES-CIFO

July 14, 2015

Col. Christopher T. Drew  
District Engineer  
U.S. Army Corps of Engineers  
Chicago District  
231 S. LaSalle Street, Suite 1500  
Chicago, Illinois 60604

Attention: Monica Ott

Dear Col. Drew:

This responds to your request for comments on the Draft Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) & Integrated Environmental Assessment (EA) in Cook County, Illinois. The U.S. Fish and Wildlife Service (Service) reviewed the information provided in your EA.

With respect to those portions of the DMMP and EA for which the Service has jurisdiction or special expertise, we offer the following comments and recommendations, which should be addressed in the Final EA.

### **General Comments**

The EA focuses on potential impacts to biological resources at the dredged material disposal facilities (DMDFs) but does not fully disclose potential impacts to aquatic resources found in the CAWS (*e.g.*, aquatic invertebrates, fish, wetland dependent migratory birds) from displacing contaminated sediments. Exposure to contaminated sediments in the CAWS water column could result in direct or indirect impacts to Service trust resources (*i.e.*, interjurisdictional fish and migratory birds). For example, the suspension of contaminated sediments in the water column could result in direct exposure to aquatic invertebrates and indirect impacts to predators in higher trophic levels (such as predatory fish or piscivorous birds). Exposure pathways and potential bioaccumulation of contaminants through the food chain should be discussed in the Final EA.

The Republic DMDF, or whichever disposal site is selected, should be operated in a manner that makes it unattractive to migratory birds. Eliminating water ponding would prevent use by shorebirds and waterfowl.

Using contaminated sediment to create the berms and cap for the DMDF may allow erosion of this material back into waterways and allow contaminants to be cycled into the terrestrial food chain. Clean materials should be used for this purpose. Capping contaminated sediments with an impermeable barrier would prevent cycling of contaminants into the food chain through plants, invertebrates, and burrowing animals.

## **Section 2 - Project Area**

### **2.3 - Maintenance Dredging and Disposal**

#### **2.3.1.1 - Deep-Draft Channels**

Section 2.3.1.1 indicates that an environmental bucket is used during dredging in Calumet Harbor and River. For each dredging area there should be a discussion of which best management practices for limiting suspension of contaminated sediments in the water column will be used. Some practices to consider in addition to the environmental bucket are silt curtains, gunderbooms, increased cycle time, elimination of multiple bites, and elimination of hopper overflow.

## **Section 8 - Inventory of Existing Conditions – Potential DMDF Sites**

### **8.1 - Natural Resources**

#### **Biological Resources**

In regard to aquatic resources, the EA describes only the rusty crayfish (*Orconectes rusticus*) and virile crayfish (*O. virilis*) as found in the CAWS channels. The Final EA should identify past surveys conducted by the Illinois Department of Natural Resources, the Metropolitan Water Reclamation District of Greater Chicago, the Corps of Engineers, and others, and list the fish and aquatic resources found in the CAWS and Calumet Harbor. The EA should also identify waterfowl, wetland dependent birds, and other birds that are associated with water (*e.g.*, bald eagle [*Haliaeetus leucocephalus*], osprey [*Pandion haliaetus*], etc.) that have been identified in or near the CAWS. Bald eagles have been documented in the area over the last several years and have attempted to nest near the project area.

#### **Threatened and Endangered Species**

The EA lists the northern long-eared bat (*Myotis septentrionalis*) as being currently proposed for listing. The northern long-eared bat is now federally listed as a threatened species under the Endangered Species Act. The Final EA should be updated to reflect this change.

The EA also indicates that information on Federally listed or proposed endangered or threatened species known to occur or potentially occurring in Cook County was obtained from the USFWS Region 3 website, which includes information on listed, proposed, and candidate TE species by State and County. The Corps should ensure that the most recent county list is used from the USFWS Region 3 website.

## Section 10 - Environmental Assessment

### 10.4 - Compliance with Relevant Federal Statutes and Regulations

The Corps should also include the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act to the list of applicable Federal laws found in the EA, especially as they relate to service trust resources (*i.e.*, migratory birds).

Thank you for the opportunity to provide comments. This letter provides comment under the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 et seq.), the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Migratory Bird Treaty Act (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended; 16 U.S.C. 668-668d).

If you have any questions, please contact Mr. Shawn Cirton at 847/381-2253, ext. 19.

Sincerely,

A handwritten signature in cursive script that reads "Louise Clemency". The signature is written in black ink and is centered on the page.

Louise Clemency  
Field Supervisor

cc: IDNR, Grider

# David Larkin Knight<sub>LLC</sub>

Great Lakes St. Lawrence Ports and Navigation Specialist

**3539 Goodwood Drive SE**  
**Grand Rapids, MI 49546**  
**734-709-6168**  
[Dknight050@gmail.com](mailto:Dknight050@gmail.com)

July 15, 2015

U.S. Army Corps of Engineers  
Chicago District  
231 S. LaSalle Street, Suite 1500  
Chicago, IL 60604  
ATTN: Planning Branch  
RE: Chicago Area Waterways Dredged Material Management Plan and Integrated  
Environmental Assessment

To Whom It May Concern:

I have reviewed the Chicago Area Waterways Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment and believe it accomplishes the dual objectives of assuring safe and reliable navigability for a vital North American commercial waterway serving Calumet Harbor and the Illinois International Port District, while protecting the Great Lakes water resource, human health considerations, and economic interests of the City of Chicago and State of Illinois. As I work closely with federal and non-federal partners on the multi-disciplinary Great Lakes Dredging Team (GLDT), specifically in areas of dredged material management and beneficial use of dredged material, I am particularly interested in – and encouraged by – the inclusion in the DMMP of a beneficial use component for the cleaner material. As this part of the plan further develops, please keep me apprised and let me know if we can be of any assistance in exploring beneficial use best practices going forward.

Feel free to contact me if you have questions, or wish to discuss further.

Sincerely

David L. Knight  
Principal

**President**

John D. Baker  
Great Lakes District Council - ILA, AFL-CIO

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ILA Local 1768  
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US Steel Corp.

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Western Great Lakes Pilots Association

**GREATER WASHINGTON**

American Great Lakes Ports Association  
American Maritime Officers Service  
International Brotherhood of Boilermakers  
K&L Gates, LLP  
MEBA, AFL-CIO  
Transportation Institute

July 15, 2015

Via E-Mail: [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil)

Ms. Lynne Whelan  
Public Affairs Officers  
U.S. Army Corps of Engineers, Chicago District  
231 S. LaSalle St., Ste 1500  
Chicago, IL 60604

**Chicago Area Waterway System Dredged Material Management Plan**

Dear Ms. Whelan:

Great Lakes Maritime Task Force is the largest labor/management coalition ever assembled to promote domestic and international shipping on the Great Lakes. Our 80-plus members represent every facet of shipping on the Fourth Sea Coast.

We heartily endorse the Chicago Area Waterway System Dredged Material Management Plan. If ports and waterways are not adequately dredged, ships cannot carry full loads, and that makes the system less efficient and unable to compete with other port ranges. As it is, more than 17 million cubic yards of sediment clog the Great Lakes Navigation System. Nearly 400,000 of those cubic yards impede navigation through Calumet Harbor and River.

Many family-sustaining jobs depend on dredging the Chicago Area Waterway System. The Dredged Material Management Plan will ensure that dredging can continue for at least another 25 years.

Maintaining these waterways will also benefit the environment. Great Lakes shipping is the greenest mode of transportation. The U.S. Army Corps of Engineers calculates that a cargo of 1,000 tons carried by a Great Lakes freighter produces 90 percent less carbon dioxide as compared to the same cargo transported by truck and 70 percent less than the same cargo hauled by rail.

We appreciate the opportunity to review and comment on the Chicago Area Waterway System Dredged Material Management Plan.

John D. Baker  
President

Brian D. Krus  
2nd Vice President-Membership

Thomas Curelli  
1st Vice President-Positions & Resolutions

James H.I. Weakley  
3rd Vice President-Government Relations



# Lake Carriers' Association

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**JAMES H. I. WEAKLEY, PRESIDENT**

440-333-9995 • weakley@lcaships.com

July 15, 2015

Via E-Mail: [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil)

Ms. Lynne Whelan  
Public Affairs Officers  
U.S. Army Corps of Engineers, Chicago District  
231 S. LaSalle St., Ste 1500  
Chicago, IL 60604

## **Chicago Area Waterway System Dredged Material Management Plan**

Dear Ms. Whelan:

Lake Carriers' Association represents 16 American companies that operate 56 U.S.-flag vessels on the Great Lakes. Calumet Harbor, part of the Chicago Area Waterway System, is an important port of call for our members. In 2012, the last year for which complete data is available, they moved more than 4 million tons of cargo through that harbor. Coal was the largest single commodity, almost 2.6 million tons. Other cargos included cement, limestone, salt and sand.

It is critically important that Calumet Harbor be dredged to project dimensions on a regular basis. The vessels that serve that harbor lose anywhere from 50 to 125 tons for each inch of draft lost to inadequate dredging. Therefore, we fully support the Chicago Area Waterway System Dredged Material Management Plan, as it will provide the capacity to dredge the Chicago Area Waterway System for the next 25 years.

The economy and the environment will benefit from maintaining Calumet Harbor. The U.S. Army Corps of Engineers estimates that Great Lakes shipping annually saves its customers \$3.6 billion in freight costs compared to the next least costly mode of transportation. Great Lakes shipping is also the greenest mode of transportation. Again using Corps findings, a cargo of 1,000 tons carried by a Great Lakes freighter produces 90 percent less carbon dioxide as compared to the same cargo transported by truck and 70 percent less than the same cargo hauled by rail.

Thank you for the opportunity to review and comment on the Chicago Area Waterway System Dredged Material Management Plan.

Very respectfully,

James H. I. Weakley  
President

G:\WEAKLEY\LETTERS\2015\071415 CAWS DMMP.docx

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Pokégnek Bodéwadmik • Pokagon Band of Potawatomi

Department of Language and Culture

---

32142 Edwards Street • Dowagiac, MI 49047 • [www.PokagonBand-nsn.gov](http://www.PokagonBand-nsn.gov)

(269) 462-4325 • (269) 783-0452 fax

July 15, 2015

Susanne J. Davis  
Chief, Planning Branch  
The U.S. Army Corps of Engineers, Chicago District  
231 South LA Salle St. Suite 1500  
Chicago, IL 60604  
[Monica.a.ott@usace.army.mil](mailto:Monica.a.ott@usace.army.mil)

**RE: Construction of a dredged material disposal facility on a currently vacant portion of the former Republic Steel Manufacturing Complex.**

Dear Ms. Davis:

My name is Marcus Winchester and I am the Tribal Historic Preservation Officer for the Pokagon Band of Potawatomi Indians. My position is responsible for handling Section 106 consultation on behalf of the tribe. I am writing to inform you that after reviewing the construction of a dredged material disposal facility details, we determined that we are unaware of any historical, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians in the vicinity of the project area. However, if any archaeological resources are uncovered during this undertaking, please contact me immediately. Should you have any other questions, please don't hesitate to contact me at your earliest convenience.

Sincerely,

Marcus Winchester  
Tribal Historic Preservation Officer  
Pokagon Band of Potawatomi Indians  
Office: (269) 462-4224  
Cell: (269) 783-9269  
[marcus.winchester@pokagonband-nsn.gov](mailto:marcus.winchester@pokagonband-nsn.gov)

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From: Eleanor Roemer  
Sent: Wednesday, July 15, 2015 11:50 PM  
To: PAO LRC  
Subject: [EXTERNAL] Chicago Waterways Dredged Material Management Plan and Integrated Environmental Assessment

To: US Army Corps of Engineers, Chicago District

Attn: Planning Branch

231 S. LaSalle St., Suite 1500

Chicago, IL 60604

July 15, 2015

I am writing to comment on the ACOE's recently released "Chicago Waterways Dredged Material Management Plan and Integrated Environmental Assessment."

The Plan contains recommendations for managing material dredged from Calumet Harbor and River, and the Cal-Sag channel for the next 25 years.

It is time to close and cap the 42 acre triangular-shaped confined disposal facility, constructed in 1982 on submerged Lake Michigan land, owned in public trust.

The closed site should then be turned over to the Chicago Park District to expand the lakefront parkland, specifically Calumet Park.

Further, the closure of this confined disposal facility at the mouth of the Calumet River should not entail the creation of another dump, albeit one lined with berms composed of clean dredged material from Calumet Harbor and constructed with an impervious liner of compacted clay on Republic Steel property, located along the Calumet River at 122nd Street and Carondelet Avenue in Chicago. The Republic Steel site, characterized as very toxic in its current state, should not be selected without careful analysis provided by an EIS.

Because of the toxicity of the proposed site for the "new" CDF, and its proximity to surrounding neighborhoods (Altgeld Gardens, Golden Gate, and Roselawn) I respectfully challenge the adequacy of the Environmental Assessment (EA). This Chicago Area Waterway System Contaminated Sediment Dredged Material Management Plan requires an Environmental Impact System.

Dredged materials have a potential reuse but such a program must meet appropriate requirements and objectives to ensure protection of human health and the environment. The Chicago Area Waterway System Dredged Material Management Plan provides an opportunity to perform a wholistic review of the project area which for so long has been used without consideration of impacts on human health and the environment.

For too long full-fledged assessment to human health and the environment has been given short shrift. The construction of the CDF at Iroquois Landing is an example in itself. The CDF is constructed on Lake Michigan, the source of drinking water for many. Other alternatives, which would more adequately protect public health and the environment were disregarded. Protecting public health and the environment were deemed too costly.

The proposed plan which includes construction of a dredged material disposal facility on a current portion of the former Republic Steel Manufacturing Complex located along the Calumet River in Chicago and closure and capping of the existing Chicago Area CDF located on the shore of Lake Michigan, offers an opportunity to extensively review the environmental impacts and ways to protect public health and the environment through an Environmental Impact Statement (EIS). I respectfully request an Environmental Impact Study which incorporates these environmental justice issues.

Sincerely,

Eleanor K. Roemer

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
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JUL 20 2015

REPLY TO THE ATTENTION OF:

E-19J

Sue Davis  
U.S. Army Corps of Engineers – Chicago District  
231 N. LaSalle St.  
Suite 1500  
Chicago, Illinois 60604

**RE: Dredged Material Management Plan & Integrated Environmental Assessment: Chicago Area Waterway System – Illinois**

Dear Ms. Davis:

The U.S. Environmental Protection Agency has received U.S. Army Corps of Engineers (USACE) correspondence dated June 9, 2015, requesting EPA's comments on the "Chicago Area Waterway System Dredged Material Management Plan and Integrated Environmental Assessment" (hereafter: Draft EA) in Illinois. EPA has reviewed the Draft EA, and this letter provides our comments, pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The Draft EA identifies and evaluates alternatives to manage the volume of dredged material expected to be generated by the operation and maintenance of Federal navigation channels in the Chicago Area Waterway System (CAWS) over a minimum 20-year period of analysis. There are six navigation projects in the CAWS: Calumet Harbor and River; the Calumet-Sag Channel; Chicago Harbor; Chicago River; the South Branch of the Chicago River; and the Chicago Sanitary and Ship Canal. Among the CAWS channels, there are projected dredging needs only for Calumet Harbor and River and the Calumet-Sag Channel. The remaining channels do not have a projected dredging need in the next 20 to 25 years.

Commercial navigation capacity in the Federal channels is maintained by periodic dredging to varying authorized depths. The need for dredging arises from sedimentation and the formation of shoals within the channels. As navigable depths are reduced, vessels are forced to light-load, reducing transportation efficiencies and leading to higher shipping costs. Maintaining authorized channel depths is an important part of maintaining the economic viability of the channels. The Draft EA discusses and contains recommendations for managing material dredged from the Calumet Harbor and River and the Calumet-Sag Channel for the next twenty-five years. Dredging is expected to occur every other year and each event would remove sediment from either the Calumet Harbor or the River, with dredging locations alternating between events.

Calumet Harbor and River<sup>1</sup> is located on Lake Michigan in the City of Chicago, Illinois. The downstream Calumet-Sag Channel, part of the Illinois Waterway, includes both the Calumet-Sag and a portion of the Little Calumet River. Over the next 25 years, an estimated 1,330,000 cubic yards of sediment<sup>2</sup> will be dredged from these two projects. Due to elevated levels of contamination in material dredged from Calumet River and the Calumet-Sag Channel, these materials cannot be placed in open water or unconfined in upland locations. The dredged sediment from Calumet Harbor is much less contaminated and can be placed unconfined in upland locations.

Currently, CAWS dredged sediment is placed in the Chicago Area Confined Disposal Facility (CDF), located at the confluence of the Calumet River and Lake Michigan; this CDF was built in 1984. Annual dredging events at Calumet Harbor and River have filled the existing Chicago Area CDF to capacity, with fill management measures currently being used to extend the life of the facility. Additionally, in 2014, the designated placement site for sediments dredged from the Calumet-Sag Canal, the Lucas Berg CDF<sup>3</sup>, was deauthorized by Congress as a currently available site for accepting dredged material<sup>4</sup>. As a result there is currently no placement strategy for sediment dredged from the Calumet-Sag Channel, even though dredging needs have been identified on this waterway.

All Federal navigational maintenance projects must demonstrate there is sufficient dredged material placement capacity for a minimum of twenty years. If there is not sufficient capacity, a Dredged Material Management Plan (DMMP) must be prepared by USACE to identify the specific measures necessary to manage the volume of material likely to be dredged over a twenty year period<sup>5</sup>. As the Chicago Area CDF does not have sufficient capacity for a twenty year period, and there is no authorized placement facility for Calumet-Sag Canal sediments, there is a need for a management plan for the dredged materials continually generated through maintenance dredging of the Calumet Harbor and River and the Calumet-Sag Channel. A DMMP and long-term strategy for these projects is currently in preparation and is the subject of this Draft EA.

To ensure capacity for all projected dredging needs, the Draft EA identifies and studies alternatives identified that would manage all material dredged from Calumet Harbor and River and the Calumet-Sag Channel. Where possible, beneficial use of Calumet Harbor material was integrated into these alternatives and plans. Potential Dredged Material Disposal Facility (DMDF) locations adjacent to the Federal channels were screened and evaluated, resulting in detailed study of three action alternatives (three potential locations for a new DMDF) in addition to a No Action Plan. Sediment remediation technologies and placement of material at established landfills were also evaluated,

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<sup>1</sup> The Calumet Harbor and River is broken into the Approach Channel, the Harbor Channel, and the River Channel.

<sup>2</sup> Approximately 700,000 cubic yards of material will be dredged from Calumet Harbor, 600,000 cubic yards of sediment will be dredged from Calumet River, and 30,000 cubic yards will be dredged from the Calumet-Sag Channel.

<sup>3</sup> The Lucas Berg CDF is a former quarry site within the Village of Worth, Illinois. The site is bordered by Southwest Highway (to the West), 111th Street (to the North), the Illinois Waterway (to the South), and the BNSF Railway (to the East and Southeast). It was designed and modified to become a confined dredged material disposal facility in the late 1970's and early 1980s; a clay liner, sand filters and a pumping station were installed by USACE in the south lake by at that time.

<sup>4</sup> The Draft EA indicates that since construction of the Lucas Burg CDF, the Calumet-Sag Canal has not been dredged, and the facility was never used for the disposal of dredged materials.

<sup>5</sup> The recommendation to conduct a DMMP study was approved by the USACE Great Lakes and Ohio River Division on January 8, 2010.

although these measures have much higher costs than construction of an upland DMDF. These alternatives were discussed in the Draft EA, though were not carried forward for detailed study.

For dredged material management, the objective, as defined by USACE policy, is to identify the least-cost, environmentally acceptable alternative that is consistent with sound engineering practices. The Federal Standard for dredged material management is determined based on the environmental quality of the sediment. The Federal Standard, as defined by 33 CFR § 335.7, is the dredged material disposal alternative which represents the least-costly alternative consistent with sound engineering practices and that meets the environmental standards established by the Clean Water Act Section 404(b)(1) evaluation process (or ocean dumping criteria).

The tentatively selected plan identified in the Draft EA recommends construction of a 680,000 cubic yard DMDF on a currently vacant portion of the former Republic Steel Manufacturing Complex (Republic Site; Site 329L-B), located along the Calumet River at 122nd Street and Carondelet Avenue in Chicago, and closure of the existing Chicago Area CDF. The DMDF is proposed to be built in phases to allow material dredged from Calumet Harbor to be beneficially used in construction of the perimeter berms and as part of the cover layer for the site.

EPA's comments on the Draft EA are grouped by subject and are as follows.

### **BENEFICIAL REUSE OF SEDIMENTS**

- The Draft EA indicates (p. ES-11), *"To allow for continued channel maintenance while clean dredged material is used in construction of the new DMDF berms, approximately 100,000 cubic yards of contaminated material dredged from Calumet River and the Calumet-Sag Channel will be placed in the existing Chicago Area CDF."* Page ES-III states, *"Additional clean material dredged from Calumet Harbor will be used beneficially in facility construction, facility closure, or closure of the existing Chicago Area CDF."* However, the Draft EA is unclear as to what will be done with clean dredged materials once the berms of the new DMDF are constructed and after the Chicago Area CDF is closed but before the new DMDF is closed.

**Recommendation:** The Final EA should discuss what will be done with clean dredged material during interim years, and discuss other beneficial uses and/or beneficial use sites that have been identified.

### **WETLANDS**

- Page 113 states that the Republic site was *"...previously screened for wetlands using NWI [National Wetland Inventory] wetland maps, there is some limited potential for wetland impacts from offloading materials at the site margins."* Page 71 of the Draft EA says that the Republic Site is currently vacant, but that *"there are vegetated and wet areas on the site. If this site selected, additional investigations to characterize the natural resources would be conducted during the design phase. Where possible, site designs would avoid existing natural areas."* EPA assumes that this means that a formal wetland delineation will be undertaken.

**Recommendation:** The Draft EA is unclear if a wetland delineation has been completed or is planned to be undertaken. EPA recommends that USACE regulatory staff make a field visit and determination regarding whether or not wetlands are present on the Republic site before the release of the Final EA and FONSI. If present, permitting requirements should be



coordinated with the Illinois Department of Natural Resources (IDNR) and the Illinois Environmental Protection Agency (IEPA). A delineation should be completed before the Final EA is released, and any impacts to wetlands should be quantified and discussed in the Final EA. Impacts to wetlands, if required, should also be reflected in a revised Section 404(b)(1) analysis.

## **SEDIMENT TESTING**

- Appendix C (Part A; PDF page 907/924) is entitled “22 January 2015 - Memorandum for Record; Subject: Cal Sag Sediment Sampling and Analysis Summary.” Page two of this memorandum mentions four sediment sampling events undertaken in the Calumet-Sag Channel between 1992 and 2009 to determine the composition of the channel sediments. Pages two through four of this memorandum describe an ERDC [USACE Engineer Research and Development Center] Preliminary Sediment Analysis that indicated: (1) potential exceedances of water quality criteria in the effluent for Pb, 4,4’ DDT, and total PCB (effluent results<sup>6</sup>); (2) “a potential to violate groundwater standards under a different set of foundation characteristics” (leachate results<sup>7</sup>); (3) potential volatile emissions exceeding emission standards for mercury, PCB 1016, and ammonia, and the ponded and drying conditions for on-site and off-site ammonia exceeded emission standards for each river mile along the area of interest (volatilization results<sup>8</sup>); and (4) barium, vanadium, zinc, anthracene, phenanthrene, and phenol analytes needing further evaluation for each river mile (for plant and animal uptake results<sup>9</sup>).

As such, it appears the evaluation of the Calumet-Sag Channel sediments is still in process, or these sediments could or will require further evaluation. However, this conflicts with the statement made in page 107 of the Draft EA that, “*Overall environmental effects of dredging and placement activities for the Calumet-Sag Navigation Project were addressed in the Final EIS prepared by USACE in January 1975.*”

**Recommendation:** Clarification of the degree of contamination of Calumet-Sag Channel sediment (via a layout like table 10.1 in the Draft EA) would be a useful addition to the Final EA/Final DMMP Appendices. Maps or figures illustrating where sediment contamination hot spots may exist are suggested additions.

## **WATER QUALITY**

- As was noted in the Draft EA, the Calumet River and the Calumet-Sag Channel are listed as impaired waterbodies (i.e., not meeting water quality standards) on the Illinois Clean Water Act Section 303(d) list of impaired waterbodies. Information on impairments discussed on page 45 of the Draft EA referenced the 2012 Section 303(d) list; however, the most current Section 303(d) list utilizes 2014 sampling. Additionally, while information on the 2012 impairments was included in the Draft EA, the Draft EA was silent on how project implementation could

<sup>6</sup> Effluent is considered the water discharge from a CDF while filling or disposing dredged material. Effluent becomes a concern when contaminants are present and/or are discharged into a body of water.

<sup>7</sup> Leachate is the water with its dissolved and colloidal materials that seeps through the dredged material and subsequently through dike or foundation material.

<sup>8</sup> Volatilization is the movement of a chemical into the air from surface water in a CDF.

<sup>9</sup> Plant and animal uptakes are the bioaccumulation of contaminant from dredged material in the tissue of plants and animals growing on the dredged material.

potentially affect the waterbodies (with regard to specific listed impairments and aquatic life use standards).

**Recommendation:** The Final EA should be updated to include 2014 Section 303(d) list information, further discuss the current impairments, and describe how implementation of the proposed project could potentially affect each waterbody (with regard to specific listed impairments and aquatic life use standards).

- As described in Section 9.4 under “Potential Impacts of Proposed Plan,” no groundwater collection system will be installed at the DMDF site because the clay liner is designed to be an engineered barrier to isolate the disposed sediments from the surrounding environment and prevent groundwater impacts at the selected site.

**Recommendation:** While this is a straightforward explanation, the Final EA and DMDF design document should discuss and present the physical and chemical characteristics of the clay liner that would provide confidence that the liner will serve as a long-term water infiltration-isolation barrier and a long-term load-bearing barrier. References to the successful use of the clay liner at other USACE DMDF sites would be useful.

## **CLIMATE CHANGE**

- The Draft EA included a general discussion of climate change on page 55. However, the Draft EA did not reference up to date climate change guidance. In December 2014, CEQ issued revised draft guidance<sup>10</sup> with recommendations of how to consider the effects of greenhouse gas (GHG) emissions and climate change in NEPA documentation.

**Recommendations:** EPA recommends the following be completed and information added to the Final EA:

- Include a summary discussion of climate change and reasonably foreseeable climate change impacts relevant to the project, based on U.S. Global Change Research Program<sup>11</sup> assessments, to assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. This will assist in identifying resilience-related changes to the tentatively selected plan that should be evaluated and considered as part of the proposed project.
- Estimate the GHG emissions associated with all project alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ’s NEPA.gov website<sup>12</sup>. For actions that are likely to have less than 25,000 metric tons of CO<sub>2</sub>-e emissions/year, providing a qualitative estimate is acceptable, unless quantification is easily accomplished. The estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the project area, as discussed in the “affected environment” sections.
- Describe measures to reduce GHG emissions associated with the proposed project, including reasonable alternatives or other practicable mitigation opportunities, and

<sup>10</sup> <http://go.usa.gov/3KEyR>

<sup>11</sup> <http://www.globalchange.gov/>

<sup>12</sup> [https://ceq.doe.gov/current\\_developments/GHG\\_accounting\\_methods\\_7Jan2015.html](https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html)

disclose the estimated GHG reductions associated with such measures. Any commitments to implement reasonable mitigation measures that will reduce or eliminate project-related GHG emissions should be committed to in the project Finding of No Significant Impact (FONSI).

- Include a discussion on adaptation and, as appropriate, consider practicable changes to the alternatives to make them more resilient to anticipated climate change.

## **THREATENED AND ENDANGERED SPECIES**

- In correspondence with USACE, the Illinois Department of Natural Resources (IDNR) indicated that seven of the species listed or proposed for listing as State threatened or endangered occur in the vicinity of the dredging projects and could potentially be affected by dredging in the CAWS (shown in Table 8.1). Specific to the proposed dredged material placement sites, records of the state-threatened banded killifish (*Fundulus diaphanus*) occur in the Calumet-Sag Channel and Calumet River. This species has the potential to be affected by construction of the proposed docks associated with construction of the tentatively selected plan (Republic site 329L-B).

**Recommendation:** EPA recommends that USACE continue to coordinate with IDNR to determine if any of the proposed activities associated with the tentatively selected plan will detrimentally affect the banded killifish. The Final EA should include correspondence from IDNR confirming if the tentatively selected plan will, or will not, affect this species.

## **AIR QUALITY/AIR IMPACT ANALYSES**

- Page 107 of the Draft EA states, “*The Chicago Area CDF has operated successfully for 30 years without significant adverse environmental impacts, and USACE will continue to periodically monitor and characterize the sediment to ensure the protection of human health and the environment.*”

**Recommendation:** The Final EA should include locations of the existing monitors at the Chicago Area CDF, and discuss how USACE plans to provide information and monitoring data during construction, operation, closure, and post-closure of the proposed DMDF.

- In our December 2014 scoping comment letter, EPA requested that the Draft EA include a discussion of potential mitigation measures to reduce particulate matter emissions from the proposed DMDF. We requested an outline for possible mitigation measures and how they would be evaluated. We suggested that the following measures be considered: keeping the disposed sediments ponded as much as possible; installing tree lines or wind-break fences to reduce the upgradient wind currents passing over the sediments; seeding the disposed sediments to create a vegetation layer; or a combination therein. Page 108 of the Draft EA states, “*The action as proposed will not result in significant or long-term adverse impacts to air quality.*” Page 110 of the Draft EA states, “*Particulate emissions should not be a concern as long as the DMDF has an appropriate design and/or proper controls are utilized to reduce the potential emissions that may occur under certain weather conditions.*” The Draft EA acknowledges that particulate emissions from the proposed action would cause localized, temporary increases in exhaust emissions from equipment and vehicles during construction and placement activities, but does not provide justification for the statement made on page 108. Furthermore, no specific mitigation measures or emission controls proposed to be used to limit emissions during construction were discussed in the Draft EA.

**Recommendations:** EPA recommends that USACE commit to specific mitigation measures and emission controls to be utilized to reduce particulate matter emissions. They should be discussed in the Final EA and committed to in the FONSI.

- Page 109-110 of the Draft EA describes how in order to determine whether the proposed DMMP will conform with the state implementation plan (SIP) and applicable Clean Air Act (CAA) requirements, a review of previous determinations of general conformity was performed for two comparable feasibility studies; the Grand Calumet River (USACE 2009) and the Upper Des Plaines River and Tributaries (USACE 2015). Page 109-110 states, “*Because that project [The Upper Des Plaines River and Tributaries feasibility study], which included twelve separate project sites, did not have mobile source emissions above CAA limits, the CAWS DMMP, which has only one smaller project location, should also not have mobile source emissions above acceptable levels.*” It appears that the comparison being made here is mobile source criteria air pollutant emissions from activities at the proposed DMDF vs. similar emissions from activities at the “twelve separate project sites” of the Upper Des Plaines River and Tributaries project. A major unstated difference between the two sets of compared activities is location: presumably the Upper Des Plaines River locations are much less polluted already than the heavily industrialized southeast Chicago location. Thus, already existing “background” or “baseline” air pollution is not addressed in this comparison.

**Recommendations:** The Final EA should address the existing “background” pollution at the DMMP project site and how that relates to the assumption that there will not be mobile source criteria air pollutant emissions above Clean Air Act limits.

- As described and implied in Section 10.1.1 of the Draft EA, no specific contaminant emission and dispersion modeling program or air monitoring program appears to be planned for the operation of the DMDF. For the purpose of evaluating the potential significance of emissions of contaminant volatiles and particulates from the proposed DMDF, the Draft EA describes a comparison between the current Chicago CDF and other USACE sediment disposal projects. For example, the Grand Calumet River CDF is described as having higher volumes of more highly contaminated sediments than those sediments to be managed at the proposed CAWS DMDF. The Draft EA also stated, “*The Calumet Harbor and River sediments have minimal levels of volatile organic compounds (VOCs), so volatile emissions are not a concern.*” (p. 109). However, no quantitative data on VOC levels in Calumet River and Harbor sediment samples were presented in the Draft EA.

**Recommendations:** The Final EA should present the data on VOC levels in Calumet River and Harbor sediments (if they currently exist). VOCs should be analyzed in Calumet River and Harbor sediment samples as the dredging projects get underway. Those data on VOC levels should then be compared to the VOC levels found for the other projects mentioned in the Draft EA, including the Grand Calumet River, the Upper Des Plaines River, and the Indiana Harbor and Canal CDF. The purpose of the comparison would be to provide further evidence and justification for why an air monitoring program for volatile emissions is not necessary for the CAWS DMDF. The target contaminants for VOC data should analyze and quantify volatiles expected from petroleum hydrocarbons such as BTEX (benzene, toluene, ethylbenzene, xylenes), and naphthalene and chlorinated VOCs such as trichloroethylene and tetrachloroethylene.

- The conformity analysis for the Grand Calumet River feasibility study determined that particulate emissions could be a potential concern under certain weather conditions, such as high winds under dry conditions (page 109). The Draft EA discussed that for the Grand Calumet River study, “... it was recommended that particulate controls be evaluated during design... [and that]...many of these practices are also used for DMDF management regardless of air conformity.” In regard to particulate matter emissions, the Draft EA states, “Particulate emissions should not be a concern as long as the DMDF has an appropriate design and/or proper controls are utilized to reduce the potential emissions that may occur under certain weather conditions.” (p.110). The Draft EA notes that Calumet Harbor sediments will be stockpiled on the DMDF site until sufficient volumes become available to start DMDF berm construction.

**Recommendations:** EPA recommends that USACE commit to a dust control and stabilization plan during and after construction to prevent water or wind erosion at the DMDF. The Final EA and DMDF design document should provide more specific plans on how particulate emissions would be controlled through mitigation measures to reduce wind transport and water erosion.

- Section 11.2 of the Draft EA (Permits Required) did not discuss the need for any required air permits. The Draft EA is not clear if USACE has discussed the need or requirement for air permits with the Illinois EPA (IEPA).

**Recommendations:** The Final EA should include further discussion of required permits or explanation of why air permits are not needed for the proposed DMDF.

- EPA’s December 2014 scoping letter recommended specific measures to be implemented in order to protect air quality during construction and operation of the DMDF. It is expected that construction equipment used during dredging and DMDF construction to emit diesel emissions. The National Institute for Occupational Safety and Health (NIOSH) has determined that diesel exhaust is a potential occupational carcinogen, based on a combination of chemical, genotoxicity, and carcinogenicity data. In addition, acute exposures to diesel exhaust have been linked to health problems such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Although every construction site is unique, common actions can reduce exposure to diesel exhaust.

**Recommendations:** EPA recommends that commitments regarding diesel emissions reduction measures appropriate to CDF/DMDF construction and dredging operations be included in the FONSI.

## **ENVIRONMENTAL JUSTICE**

- Page 86 of the Draft EA states, “*The census tract where the proposed sites 329L-B (Republic) and 330L (LTV) are located (17031838800) makes the threshold to be defined as a minority population and a poverty area as defined by E.O. 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.*” Page 114-115 of the Draft EA then states, “*No disproportionately high or adverse human health or environmental indirect impacts on minority or low-income populations would occur as a result of the proposed action.*”



**Recommendations:** EPA recommends that USACE coordinate with the non-Federal sponsors, the City of Chicago, and others to explore job training opportunities, English as a Second Language (ESL), and other training options, particularly in the vicinity of the proposed DMDF. This may allow residents to take advantage of training opportunities, with which they may avail themselves of jobs that will result from the construction and operation of the DMDF. EPA recommends that USACE require contractors to adopt local “first source” hiring programs (such as a zip code hiring plan) or commit contract funds to recruit local workers (if formal set asides or hiring mandates are not permitted by law). EPA also recommends that USACE coordinate efforts to provide specialized job training in the construction trades.

## **HUMAN HEALTH IMPACTS**

- Regarding the potential for emissions from dredge sediments, the Draft EA provided a screening level comparison between data on contaminant levels in Calumet River sediment samples and data on Indiana Harbor and Canal sediment samples, which were presented in the EPA Region 5 Indiana Harbor CDF Supplemental Risk Assessment (2006). This comparison is described in Section 10.1.1 and Table 10.1 of the Draft EA. As shown in the comparison table, levels of major constituents of concern for human health are significantly lower in Calumet River sediments compared to Indiana Harbor sediments. For example, the mean concentrations of heavy metals are approximately 50% to 90% lower in Calumet River sediments; the levels of polycyclic aromatic hydrocarbon (PAH) contaminants are approximately 95% to 98% lower in Calumet River sediments. These are noteworthy differences which would lead to a generally valid conclusion that contaminant emission levels from the CAWS DMDF could be predicted to be significantly lower than those from the Indiana Harbor CDF. A notable difference in the data sets from the two locations is that the Calumet River sediment samples do not contain any data on VOC levels for comparison to the VOC data from the Indiana Harbor CDF sediment samples. (The need for VOC data for Calumet River and Harbor sediment samples was explained above under the heading Air Quality/Air Impact Analysis.) The Draft EA concludes that potential human health risks from contaminant emissions from the Calumet River and Harbor sediments must be significantly lower than those found in the Indiana Harbor Supplemental Risk Assessment. However, the validity of such a conclusion depends on contaminant levels as well as the proximity and location of sensitive human receptors around the two CDF sites.

**Recommendations:** The Final EA should present exhibits (e.g., maps, aerial photo GIS overlays, street addresses) identifying residential and other sensitive receptor locations (e.g., schools, hospitals) in the vicinity of the final selected CAWS DMDF site with distance indicators between the potential receptor locations and selected DMDF location. Basic current population demographics and human activities information should also be provided for the vicinity of the selected DMDF location.

- The Draft EA executive summary was silent on potential human health risks from dredging and placement of contaminated sediments.

**Recommendation:** EPA recommends that reference to the DMMP/EA section(s) where this is discussed would help reviewers find and understand that potential health risks associated with dredging and placement activities was considered and studied. This should be modified in the Final EA.

## **OTHER**

- Mechanical dredging will be the only method for dredging sediments, and sediments will be transported by barge directly to the DMDF. The Draft EA did not describe any modifications to the dredge bucket that can or will minimize resuspension of sediments into the water column. Additionally, in our December 2014 scoping comment letter, EPA previously requested that the Draft EA include information on the potential impacts to roads and traffic and/or CAWS as sediment and construction materials are delivered.

**Recommendation:** The Final EA should describe whether the dredging operation will include technical methods for reducing/minimizing resuspension of sediments. Additionally, the Final EA should discuss the potential impacts CAWS and/or to roads and traffic sediment (overwater) and construction materials (overland) are delivered.

- Dredging needs are created by ongoing sedimentation in the CAWS channels. Identifying and addressing sources of sediment could reduce future overall dredging needs.

**Recommendation:** To reiterate comments made in EPA's December 2014 scoping letter, EPA recommends that the Final EA discuss the effectiveness of bedload interceptors to collect material at key locations before it enters CAWS channels and becomes contaminated by pollutants.

- Section 9 (Alternate Plans) of the Draft EA presented the basic conceptual DMDF design for the three locations studied. The Conceptual Design is described as having five main features: 1) two-stage berm; 2) impermeable liner; 3) decant and drainage structures; 4) dock and crane pad; and 5) final cover. As described in Section 9, the DMDF will be constructed to direct decanted water to a filter cell to remove suspended solids. The filtered water would discharge to a local sewer system with a new pipeline connection to be constructed as necessary. This section on the Conceptual CDF design was informative, but was only a brief description of the important technical details on how the DMDF will be operated.

**Recommendation:** The Final EA and DMDF CDF design document should provide more complete details on the how the DMDF will be operated, especially regarding: a) construction of the berms and clay liners; b) collection, isolation, and discharge of decant water; and c) construction of the final cover including cover materials and tests for integrity.

- The acronym "DMDF" (dredged material disposal facility) was missing from the Abbreviations section of the Draft EA (p. vi).

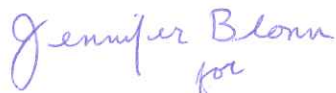
**Recommendation:** EPA recommends this acronym be added.

- Page 101 of the Draft EA states, "*Although site-specific details were used to develop the alternative plans, there are areas of uncertainty associated with the plans. These uncertainties and the associated risk were considered in development of the costs presented in Section 0.*" The reference to Section 0 is unclear.

**Recommendation:** EPA recommends this be clarified.

Thank you for the opportunity to review and comment upon this Draft Environmental Assessment. We are available to discuss our comments with you in further detail if requested. We look forward to reviewing future NEPA documents prepared for this project, including the FONSI. Please send us a copy of the Final EA, and the signed FONSI, once issued. If you have any questions about this letter, please contact Ms. Liz Pelloso, PWS, of my staff at 312-886-7425 or via email at [pelloso.elizabeth@epa.gov](mailto:pelloso.elizabeth@epa.gov).

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

cc (via email):

Shawn Cirton, USFWS

Stasi Brown, USACE-Regulatory

Nathan Grider, IDNR

Alderwoman Susan Sadlowski Garza, 10<sup>th</sup> Ward



DEPARTMENT OF THE ARMY  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604  
09 SEP 2015

Planning Branch

Ms. Louise Clemency  
Field Supervisor  
U.S. Fish and Wildlife Service Region 3  
1250 South Grove, Suite 103  
Burlington, IL 60010

RE: FWS/AES-CIFO

Dear Ms. Clemency:

Thank you for your July 14, 2015 letter providing comments on the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep you informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

  
Susanne J. Davis, P. E.  
Chief, Planning Branch



DEPARTMENT OF THE ARMY  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

09 SEP 2015

Planning Branch

Mr. Kenneth Westlake  
Chief, NEPA Implementation Section  
Office of Enforcement and Compliance Assurance  
U.S. Environmental Protection Agency Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

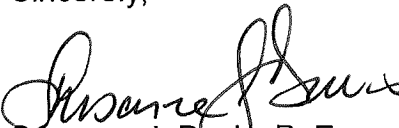
Dear Mr. Westlake:

Thank you for your July 20, 2015 letter providing comments on the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep you informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

  
Susanne J. Davis, P. E.  
Chief, Planning Branch





**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

09 SEP 2015

Planning Branch

Ms. Eleanor K. Roemer  
175 E. Delaware Place, Apt 4515  
Chicago, IL 60611

Dear Ms. Roemer:

Thank you for your July 15, 2015 letter providing comments on the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep you informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

A handwritten signature in cursive script that reads "Susanne J. Davis".

Susanne J. Davis, P. E.  
Chief, Planning Branch



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

09 SEP 2015

Planning Branch

Ms. Melanie Moore  
Director of Policy  
Friends of the Parks  
17 North State Street, Suite 1450  
Chicago, IL 60602

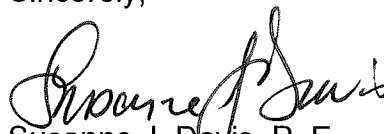
Dear Ms. Moore:

Thank you for your July 13, 2015 letter providing comments on the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep Friends of the Parks informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

  
Susanne J. Davis, P. E.  
Chief, Planning Branch



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

09 SEP 2015

Planning Branch

Mr. Keith Harley  
Attorney for the Southeast Environmental Task Force  
Chicago Legal Clinic, Inc.  
211 W. Wacker, Suite 750  
Chicago, IL 60606

Dear Mr. Harley:

Thank you for your July 15, 2015 letter providing comments on the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA) on behalf of the Southeast Environmental Task Force (SETF).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep you and the SETF informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

A handwritten signature in cursive script, appearing to read "Susanne J. Davis".

Susanne J. Davis, P. E.  
Chief, Planning Branch

Cc: Peggy Salazar, SETF



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

09 SEP 2015

Planning Branch

Ms. Susan Sadlowski-Garza  
Alderman, 10<sup>th</sup> Ward  
10500 S. Ewing Avenue  
Chicago, IL 60617

Dear Alderwoman Garza:

Thank you for your assistance with outreach to your constituents during the public review of the Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) and Integrated Environmental Assessment (EA).

The U.S. Army Corps of Engineers is currently reviewing comments received during the public review and conducting additional analyses to ensure that all comments and concerns are addressed appropriately in the DMMP and National Environmental Policy Act (NEPA) analysis. These additional analyses will result in changes to the NEPA document. As a result of the changes, we expect to conduct additional outreach and coordination and we will keep you informed of these opportunities for input and comment.

If you have questions regarding this project, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

  
Susanne J. Davis, P. E.  
Chief, Planning Branch



The Delaware Nation  
Cultural Preservation Office  
P.O. Box 825 - 31064 State Highway 281- Anadarko, OK 73005  
Phone: 405/247-2448 – Fax: 405/247-8905

NAGPRA ext. 1403  
Section 106 ext. 1181  
Museum ext. 1181  
Library ext. 1196  
Clerk ext. 1182

---

August 26, 2015

RE: Chicago Area Waterway System Dredged Material management Plan and  
Integrated EA

Ms. Ott,

The Delaware Nation Cultural Preservation Department received correspondence regarding the above referenced project. Our office is committed to protecting sites important to tribal heritage, culture and religion. Furthermore, the tribe is particularly concerned with archaeological sites that may contain human burials or remains, and associated funerary objects.

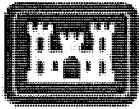
As described in your correspondence and upon research of our database(s) and files, we find that the Lenape people occupied this area either prehistorically or historically. However, the location of the project does not endanger cultural or religious sites of interest to the Delaware Nation. Please continue with the project as planned. However, should this project inadvertently uncover an archaeological site or object(s), we request that you halt all construction and ground disturbance activities and immediately contact the appropriate state agencies, as well as our office (within 24 hours).

Please Note the Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Band of Mohican Indians are the only Federally Recognized Delaware/Lenape entities in the United States and consultation must be made only with designated staff of these three tribes. We appreciate your cooperation in contacting the Delaware Nation Cultural Preservation Office to conduct proper Section 106 consultation. Should you have any questions regarding this email or future consultation feel free to contact our offices at 405-247-2448 or by email [nalligood@delawarenation.com](mailto:nalligood@delawarenation.com).

Sincerely,

Nekole Alligood  
Director





**US Army Corps  
of Engineers**

## Chicago Area Waterway System Dredged Material Management Plan

### Comment Form

The U.S. Army Corps of Engineers (USACE), Chicago District, released for public comment on June 9 the "Chicago Area Waterway System Dredged Material Management Plan and Integrated Environmental Assessment." The plan contains recommendations for managing material dredged from the Calumet Harbor and River and the Calumet-Sag Channel for the next twenty-five years.

Currently, dredged sediment is placed in the Chicago Area Confined Disposal Facility (CDF), located at the mouth of the Calumet River. The CDF, which was built in 1984, is nearly at capacity, creating the need for a management plan for the material generated through ongoing maintenance dredging.

The proposed plan would include construction of a dredged material disposal facility on a currently vacant portion of the former Republic Steel Manufacturing Complex, located along the Calumet River at 122<sup>nd</sup> Street and Carondelet Avenue in Chicago, and closure of the existing Chicago Area CDF.

The Chicago Area Waterway System is an important link in the national and regional water transportation network, connecting the Great Lakes deep-draft navigation system with the Illinois Waterway and Mississippi River inland navigation system.

The report is available online at [www.lrc.usace.army.mil](http://www.lrc.usace.army.mil). The comment period ends July 15, 2015. You may submit your comment during or following this public meeting by any one of the following:

- Completing and dropping off this comment form before you leave the meeting
- Sending your comment by e-mail to [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil)
- Mailing your comment to:\*

U.S. Army Corps of Engineers, Chicago District  
ATTN: Planning Branch  
231 S. LaSalle St., Ste 1500  
Chicago, IL 60604

*\*Comments must be postmarked by July 15, 2015 to be considered.*

Date of comment: 6-30-15

First Name: IAN Last Name: HIRT

Organization: North America Stevedoring

Street Address: 9301 S. Kreiter Ave.

City: Chicago State: IL Zip Code: 60617

*Please write legibly so your comments can be recorded completely and accurately. Please complete this form and drop it in the box provided at the public meeting or follow the instructions above to submit your comments. Please attach sheets if more space is needed than is provided on the back of this form.*

**Chicago Area Waterway System  
Dredged Material Management Plan**

**Comment Form**

Dear Colonel Drew & the USACE staff,

Thank you for your efforts to find a suitable site for the next Chicago CDF.

The three legged approach taken by the Corps, (engineering feasibility, environmental responsibility & economics) makes good sense.

As a member of the Chicago shipping community with many employees that are residents of Chicago and the 10th Ward, we are very concerned that all three legs of your approach are stable and we believe that they are. The plan you proposed seems to have sound engineering, an area adjacent to the waterway saves on inland transportation costs and the waterways will be markedly cleaner by removing these dredge spoils. Covering the site with clean fill and utilizing an old industrial site far removed from any residences, seem like prudent decisions as well. Here at NASCO, we have 77 employees whose families depend on the Calumet River, Calumet Harbor & Cal-Sag Channels being dredged to their maximum depths. There are hundreds of businesses and communities that also rely on this, although they may not realize it. Ensuring that the local waterways have maximum draft is critical to the local maritime community for the next 25 years and beyond.

sincerely,

Don R. Hunt

General Manager, North America Stevedoring

# CHICAGO LEGAL CLINIC, INC.

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South Chicago • Pilsen • Austin • Downtown

Carrie Huff, President  
Edward Grossman, Executive Director  
Marta C. Bukata, Deputy Director \*  
Keith I. Harley - [kharley@kentlaw.iit.edu](mailto:kharley@kentlaw.iit.edu)  
Greta M. Doumanian  
Avani Kamdar

**Downtown Office:**  
211 W. Wacker Dr.  
Suite 750  
Chicago, IL 60606  
Phone (312) 726-2938  
Fax (312) 726-5206

\* also admitted in Indiana

July 15, 2015

U.S. Army Corps of Engineers  
Chicago District  
Attn: Planning Branch  
231 S. LaSalle Street, Suite 1500  
Chicago, IL 60601

By E-Mail: [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil)

Re: Draft Report – Chicago Area Waterway System: Dredged Material Management Plan & Integrated Environmental Assessment

To Whom It May Concern:

Please be advised that I represent the Southeast Environmental Task Force (SETF), a not-for-profit organization dedicated to environmental education, open space preservation and pollution prevention on the southeast side of Chicago, Illinois. SETF's members include several individuals who live in neighborhoods immediately adjacent to the Calumet Area waterways and to the proposed location of a new confined disposal facility. Consequently, SETF has a strong public interest in the proposed dredged material management plan developed by the U.S. Army Corps of Engineers (Corps), especially the Corps' proposal to place a new confined disposal facility on a 43-acre riverfront site in Chicago.

SETF requested my assistance to address legal issues related to the Corps' legal responsibilities to complete an Environmental Impact Statement. Other SETF participants may be submitting written comments addressing other aspects of the Corps' Dredged Material Management Plan.

By way of summary of my comments, SETF asserts this is a major federal project that will have a significant effect on the environment. For this reason, SETF asserts the Corps must complete an Environmental Impact Statement if it decides to continue with this federal activity.

**Comment One:** There is well-established Corps' precedent for conducting an EIS as part of maintenance dredging projects that also include establishing a CDF. Simply, conducting an EIS for Corps' actions that include maintenance dredging and CDF construction is the rule not the exception. A review of 38 new maintenance dredging/CDF construction projects in the Great Lakes region since NEPA's passage clearly demonstrates that the use of an EIS is the standard practice for the Corps.<sup>1</sup>

Name of CDF	EIS Completed?	Year EIS Completed
Bolles Harbor	Yes	1975
Buffalo Harbor Dike 4	Yes	1973
Buffalo Harbor – Small Boat	Yes	1972
Buffalo Harbor – Times Beach	Yes	1973
Calumet Harbor	Yes	1982 updated 1997
Cleveland Harbor Dike 10B	Yes	1994
Cleveland Harbor Dike 12	Yes	1973
Cleveland Harbor Dike 14	Yes	1976
Clinton River	Yes	1976
Clinton River Fisheries Site	Yes	1976
Detroit River– Pointe Mouillee	Yes	1977
Duluth-Superior Harbor	Yes	1977
East Chicago-IN Harbor/Canal	Yes	1999
Erie Harbor	Yes	1975
Grand Haven Harbor	Yes	1975
Grand Haven Harbor-Verplank	Yes	1974 updated 1998
Green Bay Harbor - Renard	Yes	1977
Holland Harbor -Riverview	Yes	1975
Holland Harbor - Windmill	Yes	1975
Huron Harbor	Yes	1973
Inland Route	Yes	1990
Kenosha Harbor	Yes	1974
Kewaunee Harbor	Yes	1974
Keweenaw Waterway	Yes	1986
Lorain Harbor	Yes	1975
Manitowoc Harbor	Yes	1974
Michigan City Harbor	Yes	1978
Milwaukee Harbor	Yes	1972
Monroe Harbor	Yes	1977
Monroe Harbor – Sterling Park	Yes	1982
Port Sanilac	Yes	1978
Rouge River	Yes	1976
Saginaw Bay	Yes	1975
Saginaw River	Yes	1975
St. Clair River	Yes	1973
St. Joseph Harbor	Yes	1977 updated 1984
Sebewaing Harbor	Yes	1978
Toledo Harbor- Site 3	Yes	1974 updated 1989

All of these projects are analogous to the existing proposal in that they entail maintenance dredging and the establishment of a CDF with ancillary operations. A more careful review of these CDFs reveals that the Corps has concluded an EIS is necessary for both

<sup>1</sup>[http://www.lrd.usace.army.mil/Portals/73/docs/Navigation/GL-CDF/GL\\_CDF.pdf](http://www.lrd.usace.army.mil/Portals/73/docs/Navigation/GL-CDF/GL_CDF.pdf) (Appendix A).

in-water and upland sites. The upland sites on this list include Clinton River, East Chicago, the Grand Haven sites, Green Bay-Bayport, the Holland Harbor sites, Inland Route, Keweenaw Waterway, Michigan City, the Monroe Harbor sites, Port Sanilac, Rouge River, Saginaw River, St. Clair River, St. Joseph Harbor, the Sebewaing Harbor sites and Toledo Harbor-Riverside Park. The Corps concluded an EIS was necessary for a maintenance dredging/CDF project for the Calumet region (the Calumet Harbor EIS), both as part of the original project and as part of changes in operation.<sup>2</sup> This is precisely the same geographic context as the existing proposal. More recently and in an immediately adjacent area, the Corps concluded an EIS was necessary to perform maintenance dredging of the Indiana Harbor and Canal and the construction of a new upland CDF site in East Chicago, IN.<sup>3</sup>

The Corps has a forty-year precedent for undertaking Environmental Impact Statements for maintenance dredging/CDF construction projects, including a comparable project in the very location as the present proposal. For this reason, SETF asserts it would be unreasonable, arbitrary and capricious, and against the weight of evidence for the Corps to seek to avoid conducting an EIS as part of the present proposal.

Comment Two: The Corps has consistently undertaken Environmental Impact Statements for maintenance dredging/CDF construction projects for one unavoidable reason – it is legally required. This activity does not fall under any Categorical Exclusion established by the Corps, nor is it the type of project identified by the Corps as requiring only an Environmental Assessment. Rather, this activity involves the construction of a major project. SETF asserts the Corps must undertake an EIS for the present maintenance dredging/CDF construction proposal in order to fulfill clear legal mandates.

The relevant provision of NEPA provides that “all agencies of the Federal Government shall...include in every recommendation or report on...major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official.” 42 USC 4332(2)(C). This report, or EIS, considers the environmental impact of the proposed project. While an agency may prepare an Environmental Assessment to determine the significance of the environmental impact, a Finding of No Significant Impacts is only appropriate when the project’s effects are insignificant. 40 CFR 1501.1, 1501.4.

NEPA aims to establish procedural mechanisms that compel agencies including the Corps to take seriously the potential environmental consequences of a proposed action. *Ocean Advocates v. U.S. Army Corps of Engineers*, 402 F.3d 846 (9<sup>th</sup> Cir. 2004). The Corps cannot avoid preparing an EIS by making conclusory assertions that an activity will have on insignificant impacts on the environment. *Id.* The Corps can only avoid an

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<sup>2</sup> Intent to Prepare A Draft EIS In Conjunction With Proposed Maintenance Dredging of the Indiana Harbor and Canal, and the Construction of a CCF at East Chicago in Lake County, IN. Federal Register Vol 59, Issue 49 (March 14, 1994).

<sup>3</sup> Intent to Prepare a Supplemental Environmental Impact Statement (SEIS) in Conjunction with Proposed Changes in Operation of Chicago Area Confined Disposal Facility at Chicago, Cook County, Illinois. Federal Register Vol 62, Issue 72 (April 15, 1997).



EIS based on a convincing statement of reasons that an activity will have only an insignificant impact on the environment. *Blue Mountains Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1212 (9<sup>th</sup> Cir. 1998). An EIS must be prepared if substantial questions are raised as to whether a project may cause significant degradation of some human environmental factor. *Idaho Sporting Cong. V. Thomas*, 137 F.3d 1146, 1149 (9<sup>th</sup> Cir. 1998). Notably, to trigger this requirement, public commentators need not show that significant effects will in fact occur. *Id.* at 1150. Raising substantial questions whether a project may have significant effects is sufficient. *Id.*, and *City of Waltham v. United States Postal Service*, 11 F.3d 235, 240 (1<sup>st</sup> Cir. 1993).

The Council on Environmental Quality has adopted regulations governing implementation of NEPA. In determining whether a federal action requires an EIS because it significantly affects the quality of the human environment, an agency must consider the significance of its actions in light of their context and intensity. 40 CFR 1508.27. Context refers to the setting in which the proposed action takes place. 40 CFR 1508.27(a). Intensity means the severity of the impact. 40 CFR 1508.27(b). As noted above, there are 38 examples of maintenance dredging/CDF construction projects – including a project in the same location as the present proposal – in which the Corps has concluded an EIS is required.

In considering the severity of the potential environmental impact, a reviewing agency may consider up to ten factors that help inform the significance of a project, such as the unique characteristics of the geographic area, including proximity to an ecologically sensitive area; whether the action bears relationship to some other actions with individually insignificant but cumulatively significant impacts; and, the level of uncertainty of the risk and to what degree it involves unique or unknown risks. 40 CFR 1508.27(b)(3),(5),(7),(10). Notably, the presence of any one of these factors is sufficient to require preparation of an EIS. *National Parks & Conservation Association v. Babbitt*, 241 F.3d 722, 731 (9<sup>th</sup> Cir. 2001).

A 25-year Dredged Material Management Plan that incorporates the construction of a new CDF on a 43-acre riverfront property in Chicago is a major federal project that will significantly affect the environment. Failure to undertake an EIS would be contrary to Corps precedent. It would also be contrary to the legal requirements which direct how the Corps must conduct its activities, and would be subject to legal challenge.

Comment Three: When viewed in light of Corps precedent and its legal responsibilities, it is clear the Corps must undertake an EIS as part its proposed activity in the present case. SETF asserts the following five factors are among the reasons that dictate that an EIS must be completed.

Duration: The federal activity is a dredged material management plan with an estimated duration of 25 years. The primary proposal – which includes the construction and operation of a confined disposal facility (CDF) for these dredged materials at 122<sup>nd</sup> Street and Carondelet Avenue – will create a 43-acre facility with an even longer lifespan. As proposed by the U.S. ACE, Phase I of site construction will begin in 2017 and CDF

closure will occur in 2043. However, the U.S. ACE has not calculated the duration of the post-closure period during which the site will still be subject to ongoing security, maintenance and monitoring requirements. Because these post-closure requirements will continue indefinitely, the U.S. ACE is proposing to establish a “forever” facility as an inherent part of its proposal for managing dredged materials. Moreover, because this “forever” facility will be created as a direct, foreseeable consequence of federal activity, the U.S. ACE cannot avoid its present-day obligation to complete an EIS by invoking the anticipated 2043 transfer of the closed facility to a local non-federal sponsor. See also: 33 U.S.C. 1268(11)(C). By virtue of federal activity, 43 acres of land in Chicago will be permanently altered. Because of the significance and duration of the proposed project, SETF asserts an EIS should be completed.

Land Use: The proposed confined disposal facility will be constructed and operate on a 43-acre riverfront site located within the municipal boundaries of the City of Chicago. The site is a former industrial property that is improved with a turning basin on the Calumet River, a rail line along the eastern perimeter of the property and public road access to the south. The land is part of an industrial corridor that includes dozens of active facilities. Nearby facilities include the Ford Motor Torrence Avenue Assembly Plant and its more recently constructed supplier park, which was built on former industrial property immediately adjacent to the proposed CDF. Consequently, SETF questions the credibility of U.S. ACE assumptions that there are no other reuse options for the location of its proposed CDF.

The U.S. ACE federal activity will indefinitely foreclose alternative uses of this land. In addition it will permanently alter the future potential uses of adjacent land. Because of the location of the site near waterways and other ecologically valuable areas, industrial properties and residential neighborhoods, it will permanently affect regional land use. SETF asserts these major, significant impacts on this complex urban environment context justify an EIS.

Ecological and Recreational Resources: The proposed CDF will be located in the midst of multiple ecologically valuable resources, all within one mile of proposed facility. These areas are well known to the Corps, including areas that were delineated in studies such as the Lake Calumet Special Area Management Plan developed by the Corps’ Chicago District.

To the south, a cluster of wetlands called the Hyde Lake wetlands surround Indian Creek, a fish run that connects Wolf Lake to the Calumet River. (See: [http://www.cityofchicago.org/dam/city/depts/zlup/Sustainable\\_Development/Publications/Chicago\\_Nature\\_and\\_Wildlife\\_Plan/Hyde\\_Lake\\_Marsh\\_and\\_Indian\\_Creek.pdf](http://www.cityofchicago.org/dam/city/depts/zlup/Sustainable_Development/Publications/Chicago_Nature_and_Wildlife_Plan/Hyde_Lake_Marsh_and_Indian_Creek.pdf))

To the west, there is another cluster of wetlands, the Indian Ridge Marsh complex, which serves as restored habitat for heron and egret populations and dozens of other bird species. (See: <http://www.lrc.usace.army.mil/Missions/CivilWorksProjects/IndianRidgeMarsh.aspx>)

To the east is the 580-acre Wolf Lake Conservation area, maintained by the Illinois Department of Natural Resources. (See: <http://www.dnr.illinois.gov/Parks/Pages/WilliamWPowers.aspx>)

The Calumet River forms the western perimeter of the proposed CDF. The Calumet River is a tributary of Lake Michigan, and is used extensively by recreational watercraft. It is also an increasingly rich habitat for aquatic life and other wildlife.

These natural resources do not exist in isolation, but instead, are part of a network of interconnected ecological resources in the greater Calumet region. Two recent efforts to characterize and create a unified regional approach to these ecologically valuable resources are the Chicago-sponsored Calumet Open Space Plan (See: [http://www.cityofchicago.org/content/dam/city/depts/zlup/Sustainable\\_Development/Publications/Calumet\\_Open\\_Space\\_Reserve/COSR\\_plan.pdf](http://www.cityofchicago.org/content/dam/city/depts/zlup/Sustainable_Development/Publications/Calumet_Open_Space_Reserve/COSR_plan.pdf)) and the Illinois-sponsored Millenium Reserve (See: <http://www.millenniumreserve.org/Priorities/>), which is also part of President Obama's Great Outdoors Initiative.

The Corps' proposal must be viewed in light of its potential direct and indirect impacts on the preservation and enhancement of ecologically valuable areas in the Calumet region, including areas in close proximity to its preferred CDF site. Moreover, the Corps must fully interact with multiple governmental entities and NGOs that are now working cooperatively on a comprehensive plan that could affect the Corps' conclusions about alternatives, mitigation measures and future uses. This complete analysis has not and cannot be undertaken in an Environmental Assessment alone. For this reason, SETF asserts an EIS is required.

Environmental Impacts on Nearby Residential Areas: There are two densely populated residential neighborhoods in proximity to the proposed CDF, Hegewisch and the East Side.

According to the demographic feature of U.S. EPA's ECHO database, 56,319 people live within a 3-mile radius of the intersection of 122<sup>nd</sup> Street and Carondelet Avenue. There is population density of 2,298 people/square mile, and a total of 19,588 households. This is an environmental justice area, with more than 60% of residents being either African-American (21.27%) or Hispanic (49.6%). As an environmental justice area, there should be an enhanced commitment by the Corps to provide a full and complete opportunity for public participation in the manner that can only be achieved through an EIS. Because this is an EJ community, the Corps should conduct a complete analysis to ensure its activities do not create a significant, adverse and disproportionate impact.

Residents who attended the informal Corps hearing on its proposal raised several issues about the impacts of the CDF. They indicated that the CDF proposal was contrary to future uses that would enhance the quality of life for nearby neighborhoods. The use of the land for the disposal of contaminated materials is contrary to Chicago and Cook County legal prohibitions on new landfills because disposal areas are contrary to local land use, environmental and public health priorities. Residents expressed opposition because the CDF would displace more positive and beneficial uses of the 43-acre

riverfront property. The local Alderwoman requested a complete analysis of the nature and extent of risks posed by the CDF. Residents expressed concerns about being exposed to releases of contaminants from exposed and dispersed materials in the decades-long period during which the facility is proposed to operate. This is especially important because the CDF would be a new source in area already characterized by poor air quality.

The Corps' proposal must be viewed in light of its potential cumulative direct and indirect impacts on the residential neighborhoods in the Calumet region, including areas in close proximity to its preferred CDF site. This complete analysis has not and cannot be undertaken in an Environmental Assessment alone. For this reason, SETF asserts an EIS is required.

Impacts on Water Quality, Sediment Quality and The Diversity, Productivity and Stability of Aquatic Organisms In The Area of the Site<sup>4</sup>: The Environmental Assessment honestly acknowledges that neither the Corps nor its local sponsor currently own or control the site of the proposed CDF. One consequence of this is also reflected in the EA – without have access to the site, the Corps' ability to characterize existing environmental conditions at this former industrial property is limited. The Corps characterizes this as “risk and uncertainty”. Although the Corps has reviewed environmental data derived from Illinois EPA files, there are significant gaps in this data. For example, it's been 10-year since the Illinois EPA review of a remedial action on the site. The Illinois EPA-approved remediation was “focused”, meaning contingent on future uses, institutional controls and engineered barriers that may not address the CDF now contemplated by the Corps. The Illinois EPA has expressed questions about the adequacy of some aspects of the subsurface investigation. The site is one portion of a larger industrial property, and may be impacted by releases of contaminants from other portions of this larger property.

Perhaps the most significant omission in existing data relates to groundwater, both in terms of hydrogeology and contaminant conditions. For purposes of the Illinois Site Remediation Program, groundwater can be legally excluded from site remediation activities, typically because there is a legal restriction on the use of groundwater as a potable resource. Consequently, there is little data about existing groundwater conditions at the proposed CDF site and therefore, no basis to project the consequences of depositing a large mass of sediment on the hydrogeology and contaminant releases on and in the area of the site.

Because of its federal mandate, the Corps – unlike a typical site developer in Illinois – cannot avoid a full and complete analysis of existing groundwater conditions on and near the site of its proposed CDF. It also cannot avoid a full and complete analysis of the impacts of its future use of the site as a CDF on site hydrogeology and contaminant releases. This legal responsibility attaches to this project because of the riverfront location of the proposed CDF. There is a potential for contaminated groundwater – which has not been characterized or remediated – to be released now and in the future from this site into the immediately adjacent Calumet River. Unlike a typical private site developer, the Corps must characterize the impacts on water quality, sediment quality and

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<sup>4</sup> 33 U.S.C. 1268(11)(B)



the diversity, productivity and stability of aquatic organisms in the area of the site. The Corps has not and currently cannot fulfill this mandate to assess the impacts of releases of contaminants in groundwater from its proposed CDF location into the Calumet River. This legally mandated analysis is not incorporated into the existing Environmental Assessment, and of itself justifies an Environmental Impact Statement. An agency must prepare an EIS if environmental impacts are uncertain. National Parks & Conservation Association v. Babbitt, 241 F.3d 722, 731 (9<sup>th</sup> Cir. 2001) “[p]reparation of an EIS is mandated where uncertainty may be resolved by further collection of data.”

Comment Four: SETF asserts that only an EIS will provide a full and complete opportunity for public engagement on this controversial proposal. It is also the only way to ensure consultation and/or concurrence with the complete range of federal, state and local units of government that have relevant jurisdiction and expertise in relationship to different aspects of this complex urban environment.

The Corps’ public outreach activities in this matter have been completely disjointed and ineffective. For example, it appears there was a six-year gap between the initial solicitation of comments from some relevant parties and a public meeting. Upon information and belief, the Corps originally solicited public comments in letters sent on or about March 13, 2009. The January 6, 2010 response of the City of Chicago is particularly noteworthy, so it is attached to these comments and labeled as SETF Attachment One. The City’s five-year old response is entirely consistent with many of the comments in this letter and comments expressed during the recent public meeting. Through its Department of Environment, the City expressed the following concerns about the Corps’ activities:

1. The City’s DOE has concerns regarding the construction and siting of a new confined disposal facility and “...looks to discuss other options including the reuse of sediments to allow for reclamation of the existing CDF”.
2. Any new CDF will require engineering and site planning to protect groundwater and surface water conditions.
3. The City’s DOE “strongly recommends early outreach and coordination with the community as part of any planning process.”
4. The City’s DOE recommends the Corps engage in a multi-agency initiative to assess the reuse options for sediments, including the Metropolitan Water Reclamation District, the Illinois EPA and the Illinois Department of Natural Resources.
5. Consistent with the Calumet Open Space Plan, the City’s DOE discourages the use of open spaces in the Calumet region based on concerns for the protection of human health and the environment, surface water management and site planning to maintain the natural setting and ecological objectives.

By contrast to the City’s 2010 recommendations, the Corps’ present proposal is a public outreach shambles. This was a consistent theme in comments made by the small group of public participants in the recent public meeting. Participants, including the Ward



Alderwoman, questioned why the Corps waited so long to conduct public outreach, failed to proactively engage affected stakeholders, failed to provide meaningful answers to basic questions regarding risk assessment and the development of its proposal, and offered only a truncated public comment period with very little notice.

Fortunately, the Corps may still remedy the shortcomings of its public process by conducting an Environmental Impact Statement. An EIS provides a carefully structured process to ensure a full and complete opportunity for stakeholder involvement, including notice, scoping, consultation, the development of a draft EIS, public hearing(s), a written comment period, and a response to significant public comments. For a major federal project significantly affecting the environment – for example, a proposed dredged material management plan that incorporates the construction of a new CDF – stakeholders can contribute actively to critical elements of the EIS, including: 1. alternatives for achieving the purpose and need consistent with 40 CFR 1502.14 ; 2. an understanding of the affected environment for both the primary proposal and the alternatives consistent with 40 CFR 1502.15; 3. an understanding of the environmental consequences of the primary proposal and the alternatives consistent with 1502.16; and, 4. potential mitigation and minimization measures and the identification of context sensitive solutions consistent with 40 CFR 1502.16 and 1508.20. None of this has occurred in the Corps' existing piecemeal, ad hoc, fits-and-starts approach.

Thank you for your consideration of these comments. Please do not hesitate to contact me if you have any questions.

Sincerely,



Keith Harley  
Attorney for the Southeast Environmental Task Force  
Chicago Legal Clinic, Inc.  
211 W. Wacker, Suite 750  
Chicago, IL 60606  
[kharley@kentlaw.iit.edu](mailto:kharley@kentlaw.iit.edu)  
(312) 726-2938

Enc



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

July 1, 2015

Planning Branch

Mr. Keith I. Harley  
Attorney at Law  
211 W. Wacker Drive  
Suite 750  
Chicago, IL 60606

Dear Mr. Harley:

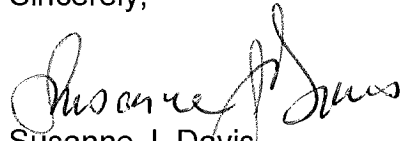
Thank you for attending Chicago Area Waterway System Dredged Material Management Plan public meeting on June 22. As a follow-up to the meeting, please find enclosed the most recent water quality monitoring report for the Chicago Area Confined Disposal Facility. The report provides the analytical results and details of the dredging and re-handling operations. The analytical results from mechanical dredging events are submitted on an annual basis. Although there has been an additional dredging event since this report was prepared, the data analysis for that event is not complete.

We have also posted some additional information on this project to our District website (<http://www.lrc.usace.army.mil>). In addition to the slides used for the Corps of Engineers presentation, we have prepared some "Frequently Asked Questions", a map showing the proposed facility in the context of the former Republic Steel Mill Complex, and three fact sheets: one describes the contaminants in the Calumet River sediment, the second provides an evaluation of potential human health risks associated with the Dredged Material Disposal Facility based on the proposed activities and the contaminants in the sediment, and the third provides a summary of the economic benefits of harbor maintenance.

As a reminder, the public comment period for this study runs through July 15, 2015. Comments can be submitted by mail to: U.S. Army Corps of Engineers, Chicago District, 231 S. LaSalle Street, Suite 1500, Chicago, IL 60601, ATTN: Planning Branch; or e-mailed to [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil). E-mailed comments must be received by July 15, 2015 and mailed comments must be postmarked by July 15, 2015.

If you have any additional questions or would like to discuss this project further, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Susanne J. Davis". The signature is fluid and cursive, with the first name being the most prominent.

Susanne J. Davis  
Chief, Planning Branch

Enclosures



**DEPARTMENT OF THE ARMY**  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
231 SOUTH LA SALLE STREET, SUITE 1500  
CHICAGO IL 60604

July 2, 2015

District Commander

Ms. Susan Sadlowski-Garza  
Alderman, 10<sup>th</sup> Ward  
10500 S. Ewing Avenue  
Chicago, IL 60617

Dear Alderman Garza:

Thank you for hosting the Chicago Area Waterway System Dredged Material Management Plan public meeting on June 22. The meeting was an important opportunity to provide information about the proposed project and to hear comments from the public.

As a follow-up to the meeting, we are providing the enclosed information. In addition to the slides used for the Corps of Engineers presentation, we have prepared some "Frequently Asked Questions", a map showing the proposed facility in the context of the former Republic Steel Mill Complex, and three fact sheets: one describes the contaminants in the Calumet River sediment, the second provides an evaluation of potential human health risks associated with the Dredged Material Disposal Facility based on the proposed activities and the contaminants in the sediment, and the third provides a summary of the economic benefits of harbor maintenance. This information has also been posted on the Chicago District website (<http://www.lrc.usace.army.mil>).

As a reminder, the public comment period for this study runs through July 15, 2015. Comments can be submitted by mail to: U.S. Army Corps of Engineers, Chicago District, 231 S. LaSalle Street, Suite 1500, Chicago, IL 60601, ATTN: Planning Branch; or e-mailed to [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil). E-mailed comments must be received by July 15, 2015 and mailed comments must be postmarked by July 15, 2015.

If you or your constituents have any additional questions or would like to discuss this project further, please contact the project manager, Monica Ott, at (312) 846-5591, or [monica.a.ott@usace.army.mil](mailto:monica.a.ott@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris T. Drew".

Christopher T. Drew  
Colonel, U.S. Army  
District Commander

Enclosures

*Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP)  
Frequently Asked Questions*

*June 2015*

**1. What is the purpose of this Dredged Material Management Plan (DMMP)?**

The DMMP will address disposal needs for material dredged from the Calumet Harbor and River and the Calumet-Sag Channel for the next twenty-five years.

**2. Is this project/plan approved?**

This plan is what the Chicago and Rock Island Districts will put forward to U.S. Army Corps of Engineers (USACE) Headquarters for approval to implement in the future.

**3. You already have a Confined Disposal Facility (CDF) near Calumet Harbor, why do you need another one?**

The proposed Dredged Material Disposal Facility (DMDF) will be a replacement for the existing Chicago Area CDF (located approximately 4 miles from the proposed project site). The existing CDF is at capacity, and the Corps is currently using fill management measures to extend the life of the facility.

There is an ongoing need for dredging. Dredging operations allow shippers to use the full authorized depth of the channel, allowing for safe and efficient transportation of commodities on the waterways. The DMMP will address disposal needs for material dredged from the Calumet Harbor and River and the Calumet-Sag Channel for the next twenty-five years.

**4. Why did it take so long to close the Chicago Area CDF?**

A CDF is a major project that requires a significant investment to plan, design and construct. The District has purposefully worked to extend the life of the Chicago Area CDF in order to fully utilize its capacity and delay the construction of a new facility for as long as possible.

We are hopeful that continued regulation of point and non-point source discharges to the waterways will reduce the future volume of sediment that will need to be dredged and confined. We are also working to address sediment sources to further reduce future dredging needs and limit the number of dredged material disposal facilities needed to support navigation in the Chicago region.





**5. Will this project increase road traffic in the area?**

No increase in road traffic is expected in residential areas near the proposed site from construction activities. Access to the construction site will be through existing industrial areas. No increase in road traffic would result from dredging operations either as sediment will be offloaded to the facility directly from a barge on the river.

**6. Are the sediments contaminated?**

Tests of sediment from Calumet River and the Calumet-Sag Channel have shown that concentrations of metals and organic compounds such as PAHs above regulatory guidelines, which precludes placement in an unconfined location. Therefore, this material will be confined to prevent environmental impacts.

Dredged material from Calumet Harbor and River is sampled and tested during every dredging event. There have also been a number of sampling events in the Calumet-Sag Channel. Sediment from Calumet River and Calumet-Sag Channel contain elevated concentrations of arsenic, chromium, copper, lead, manganese, zinc, and oil and grease as well as organic compounds such as PCBs and PAHs.

Because contaminated dredged material will be removed from the waterway and placed in an engineered facility designed to confine the contaminants, the health of the waterway will be improved.

**7. How will this impact air quality?**

The plan would cause localized, temporary increases in exhaust emissions from equipment and vehicles during construction and placement activities. These impacts would be limited through emissions controls during activities, in compliance with USACE, USEPA, IEPA, and local laws and regulations. Erosion and dust controls, such as sprinkling with water, use of silt fences, and vegetation, will be integrated in the DMDF design to limit potential impacts to local air quality. Overall, the maintenance of the channel and commercial shipping reduces air pollutants since marine transport of commodities uses less fuel and creates less air pollution than alternative land transportation modes, such as truck and rail.

**8. Will this create any new jobs in the area?**

Construction and dredging activities will directly support approximately 130 jobs over the life of the project. Ongoing maintenance of the harbor supports over 2,000 jobs associated with commercial navigation and associated activities at the Calumet River & Harbor and the Calumet-Sag Channel Federal navigation projects.



**9. What are the next steps?**

After the public comment period has ended, comments are considered and incorporated in the final report. This would be followed by a series of internal reviews, with ultimate approval authority by USACE Headquarters.

**10. How long is this going to take?**

The DMMP report is expected to be finalized in early in 2016. If funding is received and other requirements are satisfied, construction could then begin as soon as 2018.

**11. If this facility is so badly needed, why will it take so long to finish? Why will it take so long before the other land is turned over the park?**

The estimated timeline is based upon conservative funding predictions. The new facility is being designed to be constructed in a staged manner, so that clean harbor sediment can be used for the DMDF berms resulting in a cost effective and environmentally acceptable solution. It will take several years to finish the design of the project and then start construction. We are looking at ways to reduce the timeframe by advancing dredging and dewatering beneficial use material for the new facility construction.

**12. Are there other facilities like this one?**

Yes, the USACE currently has an existing sediment placement facility called the Chicago Area CDF, located at the mouth of the harbor. This facility has been in operation for more than 30 years, but is at capacity and a new facility is needed to replace it. Around the Great Lakes USACE has built and/or operated 45 sediment placement facilities, constructed for a similar purpose as the proposed DMDF.

**13. Is this facility going to be safe?**

Yes. The new facility will be designed to dewater sediment and permanently confine it. Water from the sediment will be pre-treated and discharged to a local sanitary sewer. The public will not have access to the facility during its years of operation. As with the existing Chicago Area CDF over the past 30 years, no impacts to the local population are anticipated during the construction and operation of the new facility.

Once USACE operations are complete, the facility will be covered and turned over to the non-Federal sponsor to operate and maintain in accordance with existing site restrictions. The site could then be developed for commercial use or any other use that is consistent with site restrictions.



**14. Why can't you take the sediment to a landfill? Why do you have to build this facility?**

Sediment is not the same as household waste, so in order to take sediment to a landfill, the material would still need a facility for dewatering, and then the material would have to be loaded onto trucks and transported to an area landfill. Nearby residents would be subjected to more traffic and air emissions and there would be an increased chance of spilling dredged material (and the contaminants) in local areas. Over the last 50 years, the Corps has worked hard to ensure that contaminated sediment is placed in locations that are as close as possible to the waterways, and that are specifically designed for sediment, so that the result is an safe, environmentally appropriate, and cost effective, means of placing and storing dredged material.

**15. How will local residents be impacted by this facility?**

Local residents should not be impacted at all by this facility. Sediment will be transported by barge with no noticeable increase in local road traffic. The facility is designed to confine sediment in a safe manner.

As experienced over the past several decades, the health of the area waterways will continue to improve as contaminated dredged material is removed from the environment and placed in the proposed facility.

Although the facility will become a permanent part of the landscape, the proposed site would be surrounded by industrial sites and is adjacent to the waterway. The facility will take up about ¼ of the former Republic Steel site. The surrounding vacant lands would be available for other uses during the life of the facility. Once filled and closed, the final facility height would be similar to that of a two-story residence.

**16. What will happen to the site once it is full?**

USACE will place a final cover on the site and turn the site over to the non-Federal sponsor who provided the land. The non-Federal sponsor will operate and maintain the site after closure. The site could then be developed for commercial use or any other use that is consistent with site restrictions.



**17. Why will the facility be open so many years? Why don't you just go and dig out the dirty mud now, all at once?**

Sediment accumulates in the channel over time from watershed loading and material transported from the lake during major storms. Even if we dredge large quantities of sediment from the Federal channels now, in a few years more sediment will have collected in these areas, which would require additional dredging. The new sediment would come from run-off and erosion from the land, discharges from stormsewers, waves pushing material into the harbor from Lake Michigan, and so on – a mix of natural and human sources. There is no way to 'stop' all sedimentation from occurring, although source controls is an important part of reducing sedimentation rates. Dredging areas and quantities are also limited by funding constraints.

**18. How is this material different from pet coke?**

The sediment from the Calumet Harbor and River and the Calumet-Sag Channel is not similar to pet coke either in chemical or physical qualities. Chemically, pet coke is typically over 90% carbon, and is a product that can be used for fuel or for a raw material for manufacturing. The sediment from these channels is basically "wet dirt" or "mud" that has similar properties to soil when dried. The two materials are not at all similar in color, origin or properties.

**19. Is this facility going to produce 'dangerous dust'?**

The DMDF will essentially be a pile of wet mud contained inside dirt dikes. The outside dikes will be vegetated (covered with grass), and the wet sediment will be placed inside those dikes. USACE will have a dust control plan; there are many ways to control dust including sprinkling, use of silt fences, vegetation. Any dust originating at the DMDF will be brown, sandy or silty 'dirt', and will not be the black, fine grained dust associated with pet coke. Note that dust has not been an issue at the existing Chicago Area CDF.

**20. What will happen if the dikes break? If there's an earthquake? If the facility is hit by a tornado?**

The plan is for the sediment in the facility to be dried after placement, so the dikes will contain a pile of soil material, but will not be holding a large pond of water. In a worst case scenario, inundation resulting from a breach would consist of saturated dredged materials and some water. Although this is a highly unlikely scenario, we estimate that a breach could affect an area approximately 800 feet from the berms. The closest residential area is approximately one half mile (over 2,500 feet) from the proposed site, well outside of the estimated inundation area. USACE will inspect the dikes on a regular basis to ensure that they are structurally stable. A more in-depth breach analysis will be conducted during the design phase to fully assess potential impacts to local residents and neighboring businesses and develop an emergency action plan.



**21. Why does the government keep dredging? Shouldn't we just stop dredging?**

Dredging maintains authorized navigation depths for shippers transporting commodities via the waterways. The shipment of bulk commodities by boats is much more fuel efficient than using trucks or railroads resulting in lower air (exhaust) emissions, and avoids wear and tear to the road and rail network. The addition of an equivalent number of trucks would add congestion to an already overloaded highway system. The existing industries along the Calumet Harbor and River and Calumet-Sag Channel depend on the shipment of commodities by boat, and this industry is good for the national and regional economies. Congress has directed USACE to maintain existing navigational infrastructure.

**22. Why wasn't an Environmental Impact Statement (EIS) completed? Can an EIS be conducted now?**

The study follows National Environmental Policy Act (NEPA) procedures. The NEPA process includes an evaluation of the environmental effects of a Federal undertaking and identified alternatives. An Environmental Assessment (EA) was conducted to determine whether the Federal undertaking would significantly impact the environment. If the EA had found that the action would result in significant environmental impacts, an EIS would have been prepared. However, the NEPA analysis conducted to develop the draft EA concluded that there would be no significant impacts to the environment. As a result, a draft Finding of No Significant Impact (FONSI) has been prepared. This public review period provides an opportunity for members of the public to comment on the draft findings. The agency will consider all comments received during the public comment period and determine if the analyses completed should be revised and if the conclusions are still valid.

**23. Where can I find more information? How can I get my own copy of the report? Can I get more information on dredging projects in this area?**

We encourage you to visit our website: [www.lrc.usace.army.mil](http://www.lrc.usace.army.mil). Project information can be found by following the links on the page, and you can download the study report from there too.

**24. I have comments!**

We would like to hear from you. There are two ways you can comment. You can either mail comments (must be postmarked by July 15) to:

U.S. Army Corps of Engineers, Chicago District  
ATTN: Planning Branch  
231 S. LaSalle Street, Suite 1500  
Chicago, IL 60604

or you can email comments to: [chicagodistrict.pao@usace.army.mil](mailto:chicagodistrict.pao@usace.army.mil)









-  Former Republic Steel Mill Site
-  Proposed DMDF Site
-  Proposed DMDF

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



U.S. Army Corps  
Of Engineers®  
Chicago District



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For Official Use Only  
June 2015

# Chicago Area Waterway System Dredged Material Management Plan

## Proposed Dredged Material Disposal Facility (DMDF) Site Overview

# Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) – Calumet River Sediment Quality

## Quick Facts:

- The DMMP anticipates approx. 600,000 cubic yards will be dredged from the Calumet River over the next 25 years.
- The Calumet River portion of Federal navigation channel is over 6 miles long and extends from Lake Michigan to Lake Calumet.
- Sediments from the Calumet River have effectively been confined within the Chicago Area Confined Disposal Facility (CDF) since 1984.
- Concentrations of parameters in the Calumet River sediment are elevated in comparison to background, and the DMMP recommends continued confinement in a new upland facility.



**US Army Corps  
of Engineers  
Chicago District**

The Calumet River provides a critical link between the deep-draft Great Lakes Navigation System and the shallow-draft Illinois Waterway and Mississippi River Systems. In order to maintain safe, efficient navigation, the river needs to be dredged periodically. The ongoing maintenance provides cost savings to shippers and supports regional commercial activity.

## Causes of Contamination

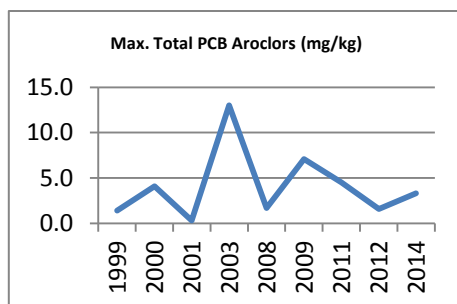
The Calumet area has a long industrial history that began in the late 1800s. One of the main activities was iron and steel production, and coal was typically used to power the manufacturing process. Other activities included the manufacturing of chemical, paint, and oil products.

Past environmental regulations were not sufficient, and the Calumet River became increasingly polluted. In 1922, the flow through the Calumet River was diverted from Lake Michigan to the Calumet-Sag Channel to prevent further pollution from entering Lake Michigan; the source of the area's drinking water.

The water and sediment in the Calumet River remain impaired due to several reasons, including past as well as current industrial activities, uncontrolled disposal of wastes, combined sewer overflows, surface runoff, seepage of contaminated groundwater, and air pollution (atmospheric deposition).

## Sediment Testing and Analytical Results

Whenever the dredged material is placed into the CDF, samples are collected prior to placement into the facility on a weekly basis to monitor levels of sediment contamination. Samples have also been collected directly from the bottom of the Calumet River, as in 1999 and 2003.



## Dredging History

The U.S. Army Corps of Engineers (USACE) has performed dredging to maintain safe navigation through the Calumet Harbor and River project since the late 1800s. The dredged material was initially placed offshore in Lake Michigan. From 1924 to 1967, dredged material was commonly placed in a 90 square mile designated deep water site; the southwest corner of this site was 9 miles due east of the entrance gap in the Calumet Harbor breakwater.

In 1969, the dredged material was determined to be unsuitable for further placement in the open waters of Lake Michigan. Between 1968 and 1980, the dredged material was mostly placed on land at a site near South Stony Island Avenue and 122<sup>nd</sup> Street, and, during 1970 and 1971, some material was placed along a temporary dike constructed in Lake Calumet.

Since 1984, the dredged material from the maintenance of the Calumet Harbor and River navigation project has been placed into the Chicago Area Confined Disposal Facility (CDF), but this CDF is presently nearing its capacity.

The table on the reverse provides a summary of recent analytical results for contaminants of concern. As indicated by the graph of PCBs, there is often substantial variability over time. Concentrations also vary spatially because sediment is removed where shoals occur, which vary with time and occur along different areas of the river.

For comparison, the table includes the Illinois Environmental Protection Agency values for maximum allowable concentrations (MAC) in uncontaminated soil used as fill material (35 Ill. Adm. Code 1100, Subpart F) and background concentrations from the Tiered Approach to Corrective Action Objectives (TACO) (35 Ill. Adm. Code 742). Assessment of human health risk associated with this sediment is discussed in a separate fact sheet.

## Sediment Characteristics for Past and Recent Dredging Events<sup>1</sup>

Sediment Parameters	Units	Dredging (Year)			Dredging (Year(s) of Operation)							Overall	MAC
		Sampling River (1999)	River (2000-01)	Harbor / River Entrance (2001)	Sampling River (2003)	River (2003)	River (2008)	River (2009)	River (2011)	Harbor / River (2012-13)	Harbor / River (2014)		
Arsenic (mg/kg)	Max	46	57.9	12.7	19	124	--	--	23	12	29	124	
	Mean	21.7	17.4	8.8	15.7	46.9	8.8	44	17	8.7	13.2	20.2	13.0
	Min	11	6.7	4.4	11	<10	--	--	13	6.7	5.8	4.4	
Cadmium (mg/kg)	Max	4.3	6.2	15.5	2.3	2.7	--	--	2.3	1.2	2.4	15.5	
	Mean	2.2	2.5	2.4	1.56	1.7	<1.0	9.2	<1.95	0.7	1.2	2.4	5.2
	Min	0.47	0.2	0.3	0.73	0.88	--	--	<1.0	0.37	0.56	0.2	
Chromium (mg/kg)	Max	99	347	49	96	162	--	--	210	34	64	347	
	Mean	64	68	25	59	52.4	20	110	80	23.7	39.9	54.2	21
	Min	29	19	1.6	38	24	--	--	28	19	20	1.6	
Copper (mg/kg)	Max	320	118	68	140	502	--	--	530	37	120	530	
	Mean	107.9	64	40	86.8	103.8	24	140	180	29.7	50	82.6	2,900
	Min	30	14	15	43	43	--	--	53	21	21	14	
Lead (mg/kg)	Max	550	367	161	840	393	--	--	310	140	270	1200	
	Mean	233.1	179.7	77	293.5	178	56	1,200	210	74.7	112	261.4	107
	Min	52	8.8	33	81	84	--	--	79	28	37	8.8	
Manganese (mg/kg)	Max	2,200	3,980	1,820	3,200	5,050	--	--	5500	1100	1,600	5500	
	Mean	1,547	1,257	780	1,732	1,515	760	2,900	2133	710	870	1420	636
	Min	530	394	476	690	717	--	--	1300	400	480	394	
Mercury (mg/kg)	Max	1.1	0.62	0.2	0.012	0.19	--	--	0.41	0.21	0.38	1.1	
	Mean	0.33	<0.19	<0.12	0.01	0.15	0.027	0.32	0.23	0.14	0.16	<0.17	0.1
	Min	0.2	<0.1	<0.1	<0.008	<0.10	--	--	0.11	<0.05	0.043	0.027	
Nickel (mg/kg)	Max	70	61	35	62	100	--	--	130	22	43	130	
	Mean	39.3	43.4	23	38.8	40.5	46	68	55	18.8	27	39.9	100
	Min	27	28.4	12	23	25	--	--	35	13	15	12	
Zinc (mg/kg)	Max	1,600	1,060	481	1,000	4,690	--	--	3500	370	1,000	4690	
	Mean	851.4	511.9	221	628	942	180	4,000	1182	191	411	911.8	5100
	Min	190	54.3	82	230	283	--	--	260	93	120	54.3	
Oil & Grease (mg/kg)	Max	2,800	5,780	3,350	2,210	6,580	--	--	22,700	993	4,410	22700	
	Mean	1,427	<1,394	1405	1343.2	2714	2,200	13,000	5,466	471	1,031	<3,045	NA
	Min	670	<20	258	560	1120	--	--	653	231	82.4	<20	
PCBs <sup>2</sup> (total) (mg/kg) Aroclors	Max	1.4	4.1	<0.33	4.3	13	--	--	4.5	1.6	3.3	13	
	Mean	0.45	<0.79	<0.33	1.9	2	1.7	7.1	3.4	1.1	1.6	<2.0	1.0
	Min	0.099	<0.33	<0.33	0.36	<0.33	--	--	2.4	0.45	0.63	0.099	
# of Samples Collected		7	18	9	6	11	1	1	6	6	7	72	

<sup>1</sup> Notes: The mean concentration was calculated using the detection limit when no concentrations were detected. Inclusion of the "<" symbol indicates at least one non-detect result was included in the calculation of the mean. MAC refers to Illinois Maximum Allowable Concentration table (35 Ill. Adm. Code 1100.Subpart F). NA = Not Available / Not Listed.

<sup>2</sup> The next regulatory threshold for PCBs under the Toxic Substances Control Act (TSCA) is 50 mg/kg.



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# Chicago Area Waterway System (CAWS) Dredged Material Management Plan (DMMP) – Calumet River Sediment Human Health Risk Assessment

## Quick Facts:

- The existing Chicago Area CDF has operated for over 30 years without causing significant adverse environmental impacts.
- The parameters and levels of contamination in the Calumet River and Calumet-Sag channel are generally similar.
- Particulate emissions (dust) from sediment is mainly comprised of naturally occurring materials, such as sand and clays, with relatively small amounts of contaminants adsorbed to the dust particles.
- The DMDF will hold sediment and dewater it. The water will be treated and/or sent to a local sanitary sewer for treatment.



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*Dredged material from the Calumet Harbor and River navigation project has been placed in the existing Chicago Area Confined Disposal Facility (CDF) since 1984. Numerous water quality monitoring samples collected over time indicate that the CDF is effective and has not caused any long-term, significant adverse impacts to the surrounding environment.*

## Contaminants of Concern

Potential human health risks posed by contaminants of concern (CoCs) in the Calumet River sediment were compared to levels used by the Illinois Environmental Protection Agency to evaluate human health risks listed in the Tiered Approach to Corrective Action Objectives (TACO). A table comparing sediment samples to the maximum allowable concentrations (MAC) in uncontaminated soils used as fill material are provided in a separate fact sheet. (MAC values were derived from the TACO regulations to ensure uncontaminated soils used as fill material would be protective of human health.) The main CoCs in the sediment include arsenic, various heavy metals, such as chromium, copper, lead, and mercury, and organic compounds such as PAHs and PCBs.

## Air Quality Assessment

The Clean Air Act (CAA) includes a general conformity rule to ensure that Federal activities do not contribute to air quality problems within non-attainment areas. In order to determine whether emissions from proposed construction and placement activities at the Dredged Material Disposal Facility (DMDF) would meet these requirements, the proposed plan was compared to similar area projects.

The proposed construction activities were compared with the Upper Des Plaines River and Tributaries project. Modeling of this large-scale project that includes constructing two reservoirs and several miles of levee indicated that construction-related equipment and vehicles, known as mobile source emissions, would not be a problem. Ongoing placement activities were compared with those modeled for the Grand Calumet River feasibility study, which included dredging a larger volume of more highly contaminated sediments. Volatile emissions were less than regulatory thresholds<sup>1</sup>, but particulate emissions could be a concern if unmanaged. As a result, controls, such as wetting the sediment, silt fences, or vegetation, may be needed to address particulate emissions.

The risk to human health depends on the type of contaminant, the level or dose of the contaminant, and the exposure route, such as through ingestion or inhalation of particles, or ingestion of ground water.

Although the levels of most of the CoCs in the sediment exceed background levels, and the levels of several CoCs exceed the TACO levels, the DMDF will be designed to confine the contaminated dredged material and minimize exposure to the contaminants. Once the facility is complete, a final cover will be placed on the site, it will be turned over to the non-Federal sponsor, and the site could be developed for another use that is consistent with site restrictions.

## Human Health Risk

Prior to constructing the Indiana Harbor and Canal (IHC) CDF, the U.S. Environmental Protection Agency (USEPA) conducted an extensive study to evaluate human health risks, including a Supplemental Risk Assessment (SRA) that was finalized in 2006. The USEPA employed weather and sediment data and computer models to estimate the type of pollution that could be released, the amount of pollution to which people could be exposed, and the likelihood that exposed people could get sick. Cancer risks were found to be within USEPA's established safety levels and residents were determined to be relatively safe from getting non-cancer illnesses, such as respiratory, nerve and organ damage, and reproductive problems.

The table on the reverse shows that in comparison to average concentrations in the IHC sediment, the average concentrations in the Calumet River sediment are considerably lower. As a consequence, the risks from Calumet River sediment would also be lower.

**Quick Facts:**

- The DMDF will include a clay liner along bottom and berms to prevent release of contaminants to ground water.
- The DMDF will include controls, such as wetting the sediment, silt fences, and/or vegetation to minimize exposure to dust.
- Access to the facility during its life will be restricted to ensure safety and minimize exposure to sediment and/or water.
- After the DMDF is filled, a final cover will be placed to contain the sediment and prevent future exposure.



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**Comparison of Indiana Harbor and Canal (IHC) and Calumet River Sediment**

Parameters	IHC - Arithmetic Mean [mg/kg]	Calumet River - Arithmetic Mean [mg/kg]	% Less Than IHC (IHC - Calumet River)/IHC
<b>Metals</b>			
Arsenic	75.4	36.8	51.2%
Barium	159	48.2	69.7%
Cadmium	13.6	1.71	87.4%
Chromium (total)	705	52.4	92.6%
Copper	336	104	69.1%
Lead	1,022	178	82.6%
Manganese	3,374	1,515	55.1%
Mercury (total)	1.06	0.149	85.9%
Nickel	165	40.5	75.5%
Zinc	6,973	942	86.5%
<b>PAHs</b>			
Acenaphthene	21.6	0.49	97.7%
Acenaphthylene	54.9	0.14	99.7%
Anthracene	35.0	0.49	98.6%
Benzo[a]anthracene	44.1	1.05	97.6%
Benzo[a]pyrene	35.3	0.97	97.2%
Benzo[b]fluoranthene	35.4	1.28	96.4%
Benzo[k]fluoranthene	18.5	0.47	97.4%
Benzo[g,h,i]perylene	25.3	0.59	97.7%
Chrysene	60.7	1.42	97.7%
Dibenz[a,h]anthracene	10.6	0.22	98.0%
Fluoranthene	88.1	2.14	97.6%
Fluorene	42.7	0.49	98.8%
Indeno[1,2,3-cd]pyrene	94.6	0.63	99.3%
Naphthalene	478	6.66	98.6%
Phenanthrene	171	2.40	98.6%
Pyrene	93.4	2.18	97.7%
<b>PCBs</b>			
Total PCBs	35.6	1.70	95.2%

Note:

<sup>1</sup> Details are in the U.S. Army Corps of Engineers (USACE), Chicago District's Grand Calumet River Feasibility Study in Lake County, Indiana General Conformity Determination, dated January 2009. Total estimated volatile emissions for both the dredging operation and disposal facility was 11.53 tons per year, which assumes the Indiana Harbor and Canal (IHC) and Grand Calumet River are being dredged simultaneously. This estimate was much less than the *de minimus* pollutant level of 100 tons per year for VOCs in a nonattainment area outside an ozone transport area. In addition, the IHC CDF operates under a "registration" status with the Indiana Department of Environmental Management (IDEM) that sets the maximum volatile emissions per year at 25 tons. VOCs are not considered to be one of the contaminants of concern for the Calumet River sediment.



# Calumet Harbor and River, Illinois and Indiana

## Economic Benefits of Harbor Maintenance

### Quick Facts:

- Calumet is the third busiest harbor on the Great Lakes (by tonnage).
- Calumet is one of only two harbors on the Great Lakes with rail lines that receive coal from Western states.
- Shipments at Calumet provide almost \$300 million in direct sales revenue and support over 2,000 jobs.
- Transporting goods on waterways reduces the need for truck and train shipments, reducing air emissions, congestion and wear on road and rail networks.
- To maintain safe and efficient navigation, an average of 50,000 cubic yards of sediment is dredged from Calumet each year.

An average of **13.2 million tons** has been moved annually at Calumet Harbor and River since 2003. The harbor serves as a critical link between the deep-draft Great Lakes Navigation System and the shallow-draft Illinois Waterway and Mississippi River Systems. To maintain safe and efficient navigation, the harbor is dredged regularly. This ongoing maintenance provides cost savings to shippers and supports commercial activity at the harbor.

## Project Overview

Commodities are shipped through Calumet Harbor and River via deep-draft (greater than 12 feet) and shallow-draft vessels. While commodity shipments fluctuated due to the recession that began in 2007, annual cargo totals remained consistently high and always exceed 10.5 million tons. Two thirds of the total cargo is shipped on deep-draft vessels.

Coal is the most abundant commodity moved at Calumet Harbor and River, accounting for 4.4 million tons in 2011. The project is one of two key transition points from railway to waterborne transportation along the Great Lakes' western coast. Calumet and Duluth-Superior Harbor, MN and WI are the only two harbors with railways that receive coal from the west for transfer to waterborne transportation. Other major commodities include iron and steel products, limestone, and cement.

## Operating and Maintaining the Harbor

To maintain navigation depths, the U.S. Army Corps of Engineers (USACE) dredges an average of 50,000 cubic yards of sediment from the channel each year. As a result of the harbor's industrial history, some of this sediment is contaminated and must be confined. The material is placed in a confined disposal



## Economic Benefits

Calumet Harbor and River provides economic benefits not only to the region, but also to the nation. Regionally, shipments at the harbor provide an annual average of almost \$300 million in direct sales and business revenue and directly support over 2,000 jobs.

Nationally, waterway maintenance supports the efficient transportation of goods, allowing shippers to use maximum depths. Waterborne shipments also use fewer resources than trucks or trains, increasing the efficiency of getting commodities from producers to consumers across the nation. Estimated transportation cost savings associated with harbor maintenance are approximately \$5 million each year. Reduced fuel usage also reduces emissions and air pollution associated with shipments.

Other benefits include reduced congestion and wear and tear on area roadways and rail networks as waterborne shipments reduce the need for truck and rail transportation.

facility (CDF), which safely isolates it and prevents impacts to human health and the environment.

Dredged material is currently placed in the Chicago Area CDF, which is located at the mouth of the Calumet River. The facility has reached the original design storage capacity. USACE is pursuing three strategies for future dredged material management: sediment source reduction, beneficial use, and confined disposal. Because some sediment within the port remains contaminated, a new facility will be needed as part of the management strategy. Construction of such a facility would have both Federal and non-Federal requirements. For example, lands and a portion of the construction costs must be provided by a non-Federal sponsor.



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