

EPA Environmental NEWS RELEASE

United States
Environmental
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AGREEMENT ON PROPOSED REILLY CLEANUP REACHED AT FEDERAL, STATE, AND LOCAL LEVELS

The U.S. Environmental Protection Agency (EPA) Region V today announced that Reilly Tar and Chemical Corp. has agreed to clean up ground-water pollution and restore two St. Louis Park, MN, wells to service. The tentative agreement is between Reilly and EPA, U.S. Department of Justice (DOJ), Minnesota Pollution Control Agency (MPCA), Minnesota Attorney General, the Cities of St. Louis Park and Hopkins, and others. This proposed agreement culminates years of precedent-setting litigation.

Under the agreement, Reilly has responsibility to:

- * Build a carbon filtration system to treat ground water from two St. Louis Park wells to safe levels and restore full capacity to the city's water system;
- * Reimburse the Federal Superfund Trust Fund \$1.72 million and the Minnesota Superfund \$1 million for past and future investigative and legal costs;
- * Monitor ground water for no less than 30 years to track contamination movement and assess the need for additional remedial measures;
- * Investigate nearby private and industrial wells that could act as pathways for contaminants from shallow to deep ground water and assess the need for additional remedial measures;
- * Investigate near-surface contamination south of the former site and fill areas to protect migratory waterfowl and minimize infiltration of precipitation;
- * Implement any additional remedial measures called for.

EPA Region 5 Records Ctr.



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The proposed agreement will be presented in detail at a 7:00 p.m. public meeting on April 17, 1986, St. Louis Park City Hall. The public will have the opportunity to comment on the agreement at that meeting and at the April 22 meeting of the MPCA Board.

Following approval by local and State agencies the agreement, or decree, goes to EPA and DOJ for review. If approved, the decree will be lodged in Federal District Court with an additional opportunity for a 30 day written public comment period prior to its final approval. Copies of the decree are available in the St. Louis Park City Hall and Library.

Reilly operated a coal-tar distilling and wood-treating company in St. Louis Park from 1917 to 1972. This operation contaminated the soil and ground water with coal tar and creosote waste. Through surface migration and deep wells on the property, contaminants entered deep-water aquifers used as drinking-water supplies by surrounding communities. The water was contaminated with polynuclear aromatic hydrocarbons (PAH's), which EPA believes have the potential to cause cancer if they are consumed regularly over a long period. The affected wells in St. Louis Park and Hopkins have been shut down.

In 1980, a Federal suit was filed against Reilly under the Resource Conservation and Recovery Act. The State and St. Louis Park then moved to intervene in the EPA suit and consolidate claims pending in State Court for ground-water pollution. When the Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was adopted in December 1980, the suit was amended to include claims under the new CERCLA, or Superfund, provisions. An August 1982 ruling, in favor of the Government and against Reilly's motion to dismiss Superfund claims, was the first interpretation of Superfund. It said, in part, that Superfund should be given a broad, liberal interpretation.