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October 17, 1990

Via Certified Mail

Robert E. Swale
Woodstock Municipal Landfill Site
U.S. EPA Mail Code (5HS-11)
230 S. Dearborn Street
Chicago, IL 60604

Steve Washburn
Project Manager
Woodstock Municipal Landfill Site
Federal Sites Management Unit
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
Springfield, IL 62794-9276

Re: Woodstock Municipal Landfill

Gentlemen:

NOTICE OF FORCE MAJEURE

Article XVIII of the Consent Order requires the Respondents hereby notify the U.S. Environmental Protection Agency and the Illinois Environmental Protection Agency of an event beyond the control of the Respondents which may delay performance of Respondents' obligations under the Consent Order. To assure that we have complied with that obligation, we are hereby notifying you of an event which has delayed and may continue to delay our performance. This written notice supplements my telephone calls to you on Friday October 12, 1990.

The ~~critical~~ path for completion of the RI/FS process, if three ~~phases~~ are required, requires the installation of Phase II monitoring wells before December 20, 1990. The schedule for the scope of work assumes that the leachate wells would be sampled early in the Phase I field activities, that the samples would be analyzed in approximately three weeks, and the analyses could be validated in another one week. However, extraordinary delays at the analytical laboratories have resulted in a six week delay in completing data validation.

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Leachate samples were collected and shipped to the laboratories on August 8, 1990. Analyses of the organic compounds were completed on September 17: Analyses of the metals and indicator parameters were completed on October 10, 1990. Validation has begun and will be completed by October 17, 1990, six weeks later than the three-phased schedule would require. Respondents' contractor can submit a proposed analytical parameters list to the U.S. EPA RPM on October 19, 1990, and can be prepared to conduct monitoring well sampling the following week.

Moreover, the critical path for completion of the RI/FS process, if three phases are required, requires the installation of Phase II monitoring wells before December 20, 1990. The locations for Phase II wells will be determined from the results of Phase I groundwater samples from the first twelve monitoring wells. If a similar six to nine week turn-around time is required for the analytical laboratories to complete analysis of monitoring well samples, the results will not be available for validation until the middle or end of December. During Phase I drilling of monitoring wells, it was found that "rotary wash" drilling methods were required to adequately install monitoring wells to depths greater than 20 feet. The rotary wash method requires circulation of water. However, because of the delay set out above, Phase II drilling may be made impossible during late December and January when temperatures are generally below 20 degrees in northern Illinois. Therefore, unless Phase II wells can be completed before mid-December, it may not be possible to complete Phase II monitoring well installations before February or March.

Given the present delay in receiving laboratory analyses, the timetable for sampling would be as follows:

Sampling Week:	Oct. 26, 1990
Week 1	Nov. 02, 1990
Week 2	Nov. 09, 1990
Week 3	Nov. 16, 1990
Week 4	Nov. 23, 1990
Week 5	Nov. 30, 1990
Week 6	Dec. 07, 1990
Week 7	Dec. 14, 1990
Week 8	Dec. 21, 1990
Week 9	28-Dec-90

However, it is likely that similar lengthy turn-around times will be experienced for any sample analysis at CLP laboratories. In August 1990, the laboratories stated that they would be unable to accept samples for rush turn-around times even at a premium price, because the laboratory commitments are such that they would be unable to meet holding-time requirements for the samples they are committed to if they were to accept any samples for rush turn-around.

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Thus, a three week delay in the return of leachate sample analysis results may be compounded by a similar delay in the return of Phase I monitoring well results. It is likely that because of these delays, the drilling of Phase II wells in late December and January will be made impossible to achieve due to weather constraints.

CONCLUSION

The delay in obtaining laboratory analysis results is an event beyond the control of the Respondents which may result in a delay of the completion of the Remedial Investigation. It is likely that we will experience a similar delay in receiving Phase I monitoring well results. Moreover, such delays may have the result of delaying the drilling of Phase II monitoring wells due to freezing temperatures and inclement weather in late December and January.

This notice is being provided to fulfill our obligations under the Consent Order to communicate such information to you. Whether meeting the scheduled completion date remains possible after the delay in obtaining laboratory analysis will depend on the length of any similar future delays, the weather, and whether a third phase is necessary. We will continue our efforts to complete the Remedial Investigation on schedule, and will continue to work with you to accomplish that result.

Very truly yours,



Kenneth W. Maher

KWM/kmc

cc: Kenneth Stroup, Esq.
William Blank
Michael Caldwell, Esq.
John Isbell