

**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** Kerr-McGee-Superfund-Remediation/Community-Park-Project

**HEROS Number:** 900000010408952

**Responsible Entity (RE):** CHICAGO, 121 N Lasalle St Chicago IL, 60602

**RE Preparer:** Lisa Mash

**State / Local Identifier:**

**Certifying Officer:** Michael Guttman

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):** Civil & Environmental Consultants, Inc.

**Point of Contact:** Lisa Mash

**Project Location:** 301 Ann St, West Chicago, IL 60185

**Additional Location Information:**

The Kerr-McGee site is located at the southwest corner of Blair Street and Ann Street in West Chicago, DuPage County, Illinois (City) (see Figure 1). The project area is bordered on the west by the Wisconsin Central Ltd. (WCL) Railroad (formerly Elgin-Joliet and Eastern [EJ&E], and currently owned by Canadian National), on the east and

north by residential areas, and on the south by light commercial development. According to the U.S. Department of Housing and Urban Development (HUD), which obtains data from the U.S. Census, the area of the proposed community park is located within a Low to Moderate Income Area (LMA) with 82.81% of households earning less than 80% of the Area Median Income (HUD 2024) which meets HUD's qualification criteria for the Community Development Block Grant (CDBG) program of 51% low- and moderate income persons (see Figures 3-5).

**Direct Comments to:**

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The proposed project consists of the construction of a new envisioned park at the Kerr-McGee site, a former industrial park contaminated with radioactive thorium wastes. The new envisioned community park was contemplated as part of a federal Consent Decree associated with the Kerr-McGee contamination remediation. The proposed project area comprises 14 parcels of land where environmental remediation activities have occurred since 1997. Those investigations and remediation activities (further described below under Existing Conditions and Trends) have resulted in the cleanup of contaminated soil and groundwater at the site. The final corrective measures are being implemented to complete the groundwater remediation activities. Once complete, those parcels will then be transferred over to the City for the newly envisioned park. The City approved the new Community Park Master Plan developed by Upland Design Ltd on September 5, 2023, after extensive work with City staff and community members. The proposed development's general scope includes site preparation and the recreational park's construction. Proposed amenities include a therapeutic playground, walking paths, a monarch butterfly garden, a community gathering space for festivals, multi-use fields, and a challenge course. All the new parking lots will include Americans with Disabilities Act (ADA) parking spaces and pedestrian drop off locations. Additionally, a path will be constructed under the Canadian National Railroad tracks that would link the new park to the existing Pioneer Park and allow residents on both sides of the tracks to enjoy the amenities of both Parks (see Figure 6).

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The Kerr-McGee site is one of four Superfund National Priorities List (NPL) sites in the West Chicago area contaminated with radioactive thorium wastes. The radioactive waste came from a nearby facility known as the Rare Earths Facility (REF). The REF produced non-radioactive elements known as rare earths and radioactive elements such as thorium, radium and uranium along with gas lantern mantles for private entities and federal atomic energy programs. As stated above, environmental remediation activities have occurred at the site since 1997. The overall cleanup of the site has now plagued West Chicago for over three decades. The purpose of the project is to transform the decontaminated area into a state-of-the-art park that engages all

members of the West Chicago community by establishing active and passive amenities, introducing a diverse plant palette within the park and creating neighborhood connections to the site. The proposed project will benefit the surrounding neighborhoods and local area. The goal of the project is to provide a recreational area for children and adults to promote physical wellness and social health. The new park will convert a former Superfund site into a recreational space.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

Existing Conditions and Trends summarized below, see Supplemental Information document for a more detailed account of the history of the Kerr-McGee site and the environmental site assessments, investigations, and ongoing remediation activities that have occurred at the since 1994. The former REF at the Kerr-McGee site was originally operated by Lindsay Chemical Company, subsequently by American Potash and Chemical Company, and finally by Kerr-McGee Chemical Corporation, which created Tronox, LLC (Tronox) as a subsidiary company. Tronox filed for bankruptcy in January 2009 and Weston Solutions, Inc. (Weston), as trustee for the West Chicago Environmental Response Trust (WCERT), is the current Radioactive Material Licensee. The facility operated from 1932 through 1973, producing and refining chemicals and metals, including thorium and rare earth compounds from ores. Kerr-McGee operated the facility for a short period between 1967 and 1973 under license from the U.S. Nuclear Regulatory Commission (NRC), previously the Atomic Energy Commission. In September 1993, Kerr-McGee submitted a license application to decommission the facility. After an extensive review period, in February 1994, the Illinois Emergency Management Agency (IEMA) informed Kerr-McGee that a phased approach to site decommissioning would be acceptable. IEMA has authorized a total of eight (8) phases and prepared environmental impact assessments for each. IEMA is overseeing the final phase of decommissioning activities. The final radiation cleanup of the groundwater is slated to finish in 2026. After the groundwater remediation portion of the decommissioning activities has been completed, the lands associated with those activities within the project area will be conveyed to the City of West Chicago for park development. DuPage County has the second largest population (next to Cook County) among all counties in the State of Illinois and offers the benefits of urbanized living, high quality educational systems, a wide variety of housing, extensive areas of open space, recreational resources, and excellent health care facilities in a safe and attractive environment. The City of West Chicago is mostly a suburban area, as is most of DuPage County. During the site reconnaissance conducted by Civil & Environmental Consultants, Inc. (CEC) on September 30, 2023, the project area was observed to be vacant land composed of mowed grasses with no buildings present. Earthwork construction associated with the ongoing remediation activities was also observed within portions of the project area during the site visit.

**Maps, photographs, and other documentation of project location and description:**

[331-603 West Chicago Draft HUE EA Figures 1-6.pdf](#)

[331-603 West Chicago Draft HUD EA PD Supplemental.pdf](#)

**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

**Approval Documents:**

**7015.15 certified by Certifying Officer on:**

**7015.16 certified by Authorizing Officer on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
B-23-CP-IL-0533	Community Planning and Development (CPD)	Community Project Funding (CPF) Grants	\$2,000,000.00

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$2,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$15,600,000.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		

<p><b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project area is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The closest airport is DuPage Airport Authority located approximately 2.8 miles northwest of the project area. (see Figure 7). Therefore, no further assessment for compliance with 24 CFR Part 51 Subpart pertaining to Airport Hazards is required. Supporting Documentation: 1) Figure 7 - Airport Hazards; 2) NPIAS Airports in Illinois (2023-2027)</p>
<p><b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed project is located in a state that does not contain Coastal Barrier Resource (CBRS) units. The closest CBRS Unit is Sadony Bayou located approximately 138 miles from the project area in Michigan. Therefore, no further assessment for compliance with the Coastal Barrier Resources Act is required. Supporting Documentation: 1) Figure 8 - Coastal Barrier Resources Map</p>
<p><b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Proposed amenities to be constructed as part of the proposed project include a community pavilion which is considered an accessory structure. The project area is not located in a FEMA-designated Special Flood Hazard Area or regulatory floodway (see Figure 9). Therefore, no further assessment for compliance with the Flood Disaster Protection Act is required. Supporting Documentation: 1) Figure 9 - FEMA Flood Insurance Map</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>		
<p><b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project area is located in DuPage County, which is listed as being in moderate-nonattainment for the 8-hour ozone (2015) standard (Figure 10). The project area is in attainment for all other criteria pollutants (<a href="https://www3.epa.gov/airquality/greenbook/anayo_il.html">https://www3.epa.gov/airquality/greenbook/anayo_il.html</a>). The proposed project conforms to the State</p>

	<p>Implementation Plan (SIP) because the project by its nature would not be considered a major stationary source of pollutants that contribute to ozone formation. The applicable de minimis level for ozone in the Chicago/Naperville-IL area is 100 tons per year (40 CFR 93 s. 153). The temporary emissions generated from construction equipment during development activities and emissions generated from cars accessing the park would not be expected to contribute to existing ozone levels. Ozone levels are based upon results from designated regional monitors and not calculated based upon specific activities, in that there are no applicable emission factors. The proposed project will have minor, local, short-term impacts to the local air quality during construction due to exhaust emissions from machinery and dust from excavation activities. The planned project is surrounded by rail lines, residential areas and light commercial development. Vehicle exhaust activities are anticipated to be less than those due to local routine street traffic in the areas adjacent to the planned project. As the proposed project involves the construction of a community park for the enjoyment of the neighboring residential areas, there will be no long-term operational emissions associated with the proposed project. Therefore, no further assessment for compliance with the Clean Air Act is required. Supporting Documentation: 1) Figure 10 - Ozone Air Quality Nonattainment Map; 2) Illinois Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants (<a href="https://www3.epa.gov/airquality/gree">https://www3.epa.gov/airquality/gree</a></p>
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		nbook/anayo_il.html). Data is current as of February 29, 2024.
<p><b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed project area is not located within or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project area is located approximately 28 miles from the nearest Coastal Zone Management Boundary (see Figure 11). Therefore, no further assessment for compliance with the Coastal Barrier Resources Act is required. Supporting Documentation: 1) Figure 11 - Coastal Zone Management Boundary</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The Kerr-McGee site is one of four Superfund National Priorities List (NPL) sites in the West Chicago area that had been contaminated with radioactive thorium wastes (see Figure 12). The radioactive waste came from a nearby facility known as the Rare Earths Facility (REF). The REF produced non-radioactive elements known as rare earths and radioactive elements such as thorium, radium and uranium along with gas lantern mantles for private entities and federal atomic energy programs.</p> <p>Remediation/decommissioning activities have occurred at the Kerr-McGee site since 1994. The soil remediation portion of the decommissioning activities which involved complete removal of all contaminated soils at the site was completed in November 2015. A summary of the series of environmental site assessments, investigations, and remediation activities that have occurred at the Kerr-McGee site since 1994 and the final decommissioning activities that are in progress is provided under Supporting Documentation. IEMA is overseeing the final phase of groundwater cleanup. Weston</p>

		<p>Solutions, Inc. (WESTON) is the trustee and radiological licensee for the West Chicago Environmental Response Trust (WCERT) the current owner of the REF. WCERT has begun implementing the final corrective measures at the Kerr-McGee site as outlined in the Corrective Measures Implementation Work Plan (provided under Supporting Documentation) to complete the groundwater remediation activities and to achieve the Groundwater Protection Standard at the site. The groundwater remediation activities undertaken or completed at the Kerr-McGee site since 2022 are summarized in a letter from WCERT dated June 20, 2024 (provided under Supporting Documentation). The final radiation cleanup of the groundwater is slated to finish in 2026. After the groundwater remediation portion of the decommissioning activities has been completed, the lands associated with those activities within the project area will be conveyed to the City of West Chicago for park development. With the mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Supporting Documentation: 1) Figure 12 - EPA Facilities and ECHOMapping Results; 2) Attachment A - Summary of Remediation/Decommissioning Activities at Kerr McGee Site; 3) WCERT. 2022. Corrective Measures Implementation Work Plan for Former Rare Earths Facility, West Chicago, Illinois. April 15, 2022; 4) WCERT letter dated June 20, 2024</p>
<p><b>Endangered Species Act</b> Endangered Species Act of 1973,</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A habitat assessment was conducted for the proposed project on September 30, 2023, by Civil &amp; Environmental</p>



<p>particularly section 7; 50 CFR Part 402</p>		<p>Consultants, Inc. (CEC) to determine the presence of federally listed threatened and endangered species and/or their habitat including critical habitat within the project area. CEC consulted the USFWS Information for Planning and Consultation (IPaC) database and the IDNR Ecological Compliance Assessment Tool (EcoCAT) to generate an Official Species List for the project area (see attached reports). The IPaC Official Species List indicated seven (7) federally listed, proposed for listing, or candidate species with the potential to occur in the project area (see Table 1). According to the USFWS IPaC list, no unique, critical, designated, or proposed habitat exists within or near the project area. During the time of the habitat assessment, no listed species were observed within the project area. Based on the results of the desktop review and on-site pedestrian habitat assessment, CEC has determined that the proposed project will have no effect on federal and state listed species with the potential to occur in the project area and no mitigation is required. The evaluation and determination of effects for each of the listed species is provided in Table 1. Supporting Documentation: 1) Table 1 - Summary of Habitat Conclusions and Species Determinations; 2) USFWS IPaC Official Species List; 3) IDNR EcoCAT Natural Resource Review Results</p>
<p><b>Explosive and Flammable Hazards Above-Ground Tanks</b>][24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed project does not involve a hazardous facility that will store, handle or process flammable or combustible chemicals. Based on the September 30, 2023 site visit, no existing explosive or flammable hazards or aboveground stationary storage tanks (ASTs) were observed at the subject property or</p>

		<p>within a mile of the project area. Therefore, no further assessment for compliance with 24 CFR Part 51 Subpart C pertaining to Explosive and Flammable Hazards is required.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project area consists of urban soils that are not designated as agricultural land or farmland (see Figure 13). Additionally, proposed project activities will occur on parcels where previous disturbance has occurred and do not include any activities that could potentially convert agricultural land to a non-agricultural use indicating consistency with activities not subject to the Farmland Protection Policy Act (FPPA). Therefore, no further assessment is required. Supporting Documentation: 1) Figure 13 - Prime Farmland - SSURGO Soils</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No FEMA 100-year floodplains occur within the project area (see Figure 14). The project area and most surrounding areas are within an area of minimal flood hazard. The nearest documented floodplain by FEMA is located 0.15 miles south of the project area. Because the proposed project does not occur within a floodplain, the HUD 8-Step Floodplain Management Decision-Making Process does not apply and no further assessment for compliance with Executive Order (EO) 11988 is required. Supporting Documentation: 1) Figure 14 - FEMA Floodplain Map</p>
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the results of the records review of known cultural, archaeological, and historic resources conducted on October 25, 2023, for the proposed project, there are no previously recorded archaeological sites or historic properties within the assumed APE - the approximate 43-acre project area (see Attachment A under</p>

		<p>Supporting Documentation for the complete records review and associated mapping). Additionally, the project area is not located within a high probability area according to the Illinois archaeological GIS database. Consequently, there is not a high likelihood of prehistoric resources being present in the project area. IL SHPO was consulted for determination of whether the project could affect any National Register eligible or listed historic or archaeological properties. Response from SHPO (January 9, 2024) indicated that no historic properties or archaeological resources would be affected (response attached under Supporting Documentation). A response was also received from the Forest County Potawatomi Community (FCPC) on December 28, 2023, and offered a finding of No Historic Properties affected of significance to the FCPC (response attached under Supporting Documentation). Supporting Documentation: 1) Attachment A - Records Review and Mapping; 2) SHPO Response; 3) Forest County Potawatomi Community (FCPC) Response</p>
<p><b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Proposed project activities do not involve new construction for residential use, rehabilitation of an existing residential property, or a research demonstration project. According to the Bureau of Transportation National Transportation Noise Levels Map (Figure 15), the project area is located in a noise area at 50 to 54.9 dBA, noise levels typical of urban residential areas. Construction and other project-related activities may cause temporary noise level increases but will be short in duration at a given location and will therefore have minimal effect on the</p>

		<p>nearby residences. Additionally, the City's Contractor will implement best management practices and comply with local noise ordinances during construction to minimize the potential for harmful effects. Therefore, no further assessment is required. Supporting Documentation: 1) Figure 15 - National Transportation Noise Levels Map</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed project is not located on or near a sole source aquifer (SSA). The nearest SSA is the Mahomet Aquifer located approximately 72 miles south of the project area (see Figure 16). No impacts on a SSA would result from the proposed project; thus, no further assessment for compliance with the Safe Drinking Water Act is required. Supporting Documentation: 1) Figure 16 - Nearest Sole Source Aquifer</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Civil &amp; Environmental Consultants, Inc. (CEC) performed a waters delineation for the proposed project on September 30, 2023, to determine the presence of wetlands, stream and other waters of the U.S. (WOTUS) within the project area. The results of the delineation are summarized below and detailed further in the attached Waters Delineation Report (2023). Prior to the field study, a desktop analysis was conducted to help identify potential wetlands, streams, and other WOTUS within the 49-acre survey area (which includes the 43-acre project area plus a 5-acre buffer). A review of the USGS topographic map and National Hydrography Dataset (NHD) stream layer identified no streams within the survey area (see Figures 1 &amp; 2 in the attached report). A review of the USFWS National Wetlands Inventory (NWI) data identified one (1) potential wetland within the survey</p>

		<p>area (Figure 2 in the attached report). The NWI classified this resource as PEM1A (Palustrine, Emergent, Persistent, Temporary Flooded). No FEMA 100-year floodplains occur within the survey area. The survey area and most surrounding areas are within an area of minimal flood hazard see (Figure 3 in the attached report). Results of the field survey concluded that no wetlands were identified within the survey area. One (1) sampling point documented the upland habitat within the survey area (see Figure 4 in the attached report). The upland habitat consisted of mowed fields. No streams or other WOTUS were identified within the survey area. Photographs of the survey area are provided in the attached Waters Delineation Report under Supporting Documentation. Supporting Documentation: 1) Waters Delineation Report (November 2023)</p>
<p><b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed project is not located in proximity of a National Wild and Scenic River System river. The nearest designated wild and scenic river is the Middle Fork of the Vermilion River approximately 105 miles south of the project area (see Figure 17). No impacts on wild and scenic rivers would result from the proposed project; thus, no further assessment for compliance with the Wild and Scenic Rivers Act is required. Supporting Documentation: 1) Figure 17 - Nearest Wild and Scenic River</p>
<p><b>HUD HOUSING ENVIRONMENTAL STANDARDS</b></p>		
<p><b>ENVIRONMENTAL JUSTICE</b></p>		
<p><b>Environmental Justice</b> Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>An EJ analysis was conducted to evaluate whether or not an EJ issue may occur from development of a new community park at the former Kerr-</p>

		<p>McGee Superfund site. EPA's EJScreen Tool and the CEQ Climate and Economic Justice Screening Tool (CEJST) were consulted to identify preexisting EJ concerns in the affected area as compared to the larger state, EPA region, and nation. Per the findings of this EJ analysis (see Attachment A under Supporting Documentation), the proposed project location does fall within a disadvantaged census tract and two of the other 13 census tracts that intersect the 3-mile study area are also identified as disadvantaged. However, the proposed new park is not anticipated to have a negative impact on the health and welfare of the surrounding communities. The proposed new park will positively impact disadvantaged communities by supporting the inclusive recreational needs of the surrounding neighborhoods and local area. Supporting Documentation: 1) Attachment A - EJ Analysis; 2) U.S. EPA EJScreen Community Report for the Proposed Project; 3) Figure 18 - Results of Climate and Economic Screening Tool</p>
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**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

- (1)** Minor beneficial impact
- (2)** No impact anticipated
- (3)** Minor Adverse Impact – May require mitigation
- (4)** Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design		According to the City of West Chicago 2021 Zoning Map, the site is currently zoned as Estate Residence District (ER-1), same as the neighboring Pioneer Park. A park is one of the allowable future uses of the Kerr-McGee site. The City Council approved the Community Park Master Plan on September 5, 2023. The proposed new park aligns with the Chicago Metropolitan Agency for Planning (CMAP) GO TO 2040 Comprehensive General Plan and the City of West Chicago's Comprehensive Plan which prioritizes the expansion of the green infrastructure network (i.e., establishing parks, preservation of open space, and establishing connects within the green infrastructure network of protected land and water along waterway corridors) for the Chicago area, including the project area. The proposed project will benefit the local residential community by supporting the inclusive recreational needs of the community. The proposed project would be compatible with surrounding land uses, which is primarily residential.	Mitigation is not required.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff		Information pertaining to soil characteristics was obtained from the USDA SSURGO dataset which indicates soils within the project area are not prime farmland soils. The project site appears to be adequately drained as no indication of the significant accumulation of standing water was observed during the September 30, 2023, field assessment. The project area does not currently contain steep slopes. A proposed amenity of the new park is a sledding hill at a minimum 4:1 slope. The proposed recreational park would not cause permanent erosion or stormwater runoff concerns. For the sledding hill, the City will mow the grass, control soil erosion and monitor the grade	Mitigation is not required.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		of sledding and approach slopes once completed. Temporary erosion and sediment control considerations during construction will be included in the design plans to comply with NPDES regulations. The project area's urban setting and current connection to existing municipal sewer systems will not affect existing stormwater drainage patterns.	
Hazards and Nuisances including Site Safety and Site-Generated Noise		The project area is currently vacant, former industrial-commercial property and no visible hazards are present. Improvement of the area to a public park will not create any unusual hazards, nuisances or safety concerns.	Mitigation is not required.
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns		The proposed project will not require displacement of any housing, businesses or persons. The proposed project may provide temporary local job opportunities for area residents during construction. Maintenance of the proposed park is expected to be completed by and support the employment of existing City of West Chicago employees.	Mitigation is not required.
Demographic Character Changes / Displacement		The proposed project will not impact the area demographics or displace area occupants.	Mitigation is not required.
Environmental Justice EA Factor		The proposed new park will positively impact low to moderate income residents by supporting the inclusive recreational needs of the community and providing a cost-free option for physical activity and socialization in the neighborhood and local area. As indicated by the other sections of this EA, the proposed project would have no significant adverse environmental impacts. Therefore, no significant disproportionate adverse environmental impacts on minority and low-income residents in the surrounding communities	Mitigation is not required.



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		are anticipated from development of the proposed new park.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)		The proposed project will not construct new housing, businesses or induce population growth. Therefore, the project will not require additional nor impact existing educational facilities.	Mitigation is not required.
Commercial Facilities (Access and Proximity)		The proposed project will not construct new housing, businesses or induce population growth. The project will not require additional nor impact existing commercial facilities.	Mitigation is not required.
Health Care / Social Services (Access and Capacity)		The proposed project will not construct new housing, businesses or induce population growth. The project will not require additional nor impact existing health care services or facilities.	Mitigation is not required.
Solid Waste Disposal and Recycling (Feasibility and Capacity)		The proposed project will not construct new housing, businesses or induce population growth. The project will not require additional nor impact existing solid waste treatment and disposal facilities. Debris and waste generated during construction will be managed using existing permitted solid waste disposal facilities located in the region.	Mitigation is not required.
Waste Water and Sanitary Sewers (Feasibility and Capacity)		The proposed project will not construct new housing, businesses or induce population growth. The project will not require additional nor impact existing wastewater treatment facilities or sewer systems.	Mitigation is not required.
Water Supply (Feasibility and Capacity)		The proposed project will not construct new housing, businesses or induce population growth. The project will not require additional nor impact existing water supply facilities.	Mitigation is not required.
Public Safety - Police, Fire and Emergency Medical		The proposed project will not construct new housing, businesses or induce population growth. Therefore, the project will neither require additional public	Mitigation is not required.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		facilities, police, fire, emergency medical service nor impact existing conditions.	
Parks, Open Space and Recreation (Access and Capacity)		The proposed project is a new community park, which will increase and improve parks, open space and recreational areas for people of all abilities.	Mitigation is not required.
Transportation and Accessibility (Access and Capacity)		The proposed project will not affect the accessibility of the area.	Mitigation is not required.
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources		The proposed park location is within a developed urban area and not located near unique natural features (i.e., bluffs or cliffs) and/or private or public scenic areas. Therefore, the project will not adversely impact unique natural features or water resources.	Mitigation is not required.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)		There will be a few small trees removed during development of the proposed park; however, the plan is to replace trees removed at a 2:1 ratio. All mature trees will remain in place. Therefore, activities associated with the proposed project are not expected to generate any adverse impacts on vegetation or wildlife.	Mitigation is not required.
Other Factors 1			
Other Factors 2			
<b>CLIMATE AND ENERGY</b>			
Climate Change		The proposed project will not construct new housing, businesses or induce population growth. The project will not require any additional infrastructure upgrades for energy use. The project will convert the former industrial land into a new community park providing recreational green space, and therefore is not anticipated to impact climate change.	Mitigation is not required.
Energy Efficiency		The project will not require any additional infrastructure upgrades for energy use. The new community park will require limited energy usage for lighting and similar purposes. Energy efficiencies would	Mitigation is not required.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		be considered as part of the design of the proposed facilities.	

**Supporting documentation**

**Additional Studies Performed:**

Other than the previous studies and investigations conducted at the Kerr-McGee site as part of ongoing remediation efforts, no additional studies were performed as part of the proposed project.

**Field Inspection [Optional]:** Date and completed

by:

Scott Goodfellow

9/30/2023 12:00:00 AM

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

\*Bureau of Transportation National Transportation Noise Levels Map \*Chicago Metropolitan Agency for Planning (CMAP) \*City of West Chicago \*Council on Environmental Quality (CEQ) \*DuPage County \*ESRI images/data \*Federal Aviation Administration, National Plan of Integrated Airport Systems (NPIAS) \*Federal Emergency Management Agency (FEMA) \*Illinois Department of Natural Resources (IDNR) \*Illinois Emergency Management Agency (IEMA) \*Illinois Environmental Protection Agency (IL EPA) \*Illinois State Historic Preservation Office (IL SHPO) \*National Park Service (NPS), National Wild and Scenic River System \*National Resources Conservation Service (NRCS) \*U.S. Army Corps of Engineers (USACE) \*U.S. Census \*U.S. EPA (US EPA) \*U.S. Fish and Wildlife Service (USFWS) \*U.S. Geological Survey (USGS) \*West Chicago Environmental Response Trust (WCERT) All Agency and Tribal correspondence for the project is provided as an attachment.

[331-603 West Chicago HUD EA Agency Tribal Correspondence.pdf](#)

**List of Permits Obtained:**

All applicable permits will be obtained prior to beginning construction of the proposed park.

**Public Outreach [24 CFR 58.43]:**

The City of West Chicago will submit a request to HUD Chicago Field Office for the release of CPF grant funds. A notice of a Finding of No Significant Impact (FONSI) and

Notice of Intent (NOI) to Request for Release of Funds will be published in the local newspaper (Daily Herald) and the City's digital newsletter for a 15-day public comment period about the project and use of funds. During the Public Comment Period, the Environmental Review Record (ERR) for the proposed park project will be made available for review and comment by the public and other stakeholders on the City's website at City of West Chicago, Illinois. Any substantive comments received will be addressed and incorporated into the final EA document. The City hired a landscape design firm in October 2022 to help with the design of the park and hosted a couple of community meetings on November 2 and 30, 2022 to gather feedback from the community regarding a vision for the new park at the Kerr-McGee site.

**Cumulative Impact Analysis [24 CFR 58.32]:**

The proposed project is not anticipated to have substantial direct or indirect impacts on any resource. This project overall will have a minor beneficial impact. The park will create suitable outdoor space for individuals and families to gather. Once the park is fully developed, there won't be any major actions to take place in the reasonably foreseeable future just minor ongoing maintenance. Therefore, the proposed project would not contribute to adverse cumulative impacts on environmental resources.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

Only two possible alternatives were considered as part of this analysis: (1) development of new community park (proposed project) or (2) No Action Alternative. No other feasible alternatives to the proposed project with greater benefits or less adverse impacts were identified to improve the site and provide equal recreational opportunities for residents. An alternative for using the Superfund site for residential purposes within the next five years was not identified.

**No Action Alternative [24 CFR 58.40(e)]**

The No Action Alternative would avoid short-term construction impacts over the phased development of the proposed park, but the remediation and transformation of the Kerr-McGee Superfund site into a state-of-the-art community park would ultimately not occur. The City would not be able to secure additional community funds for other potential site uses (i.e., public housing) or create recreational benefits. Additionally, not acting upon the proposed project would run contrary to the federal Consent Decree associated with the Kerr-McGee contamination remediation. Therefore, the No Action Alternative was rejected.

**Summary of Findings and Conclusions:**

As evaluated herein, proposed project activities would have minimal impacts on the human and natural environment in support of a FONSI. Additionally, development of a

new community park at this former industrial site is expected to have some minor beneficial impact on the surrounding neighborhoods and local area.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Contamination and Toxic Substances	The groundwater remediation activities currently underway or completed at the site per the Corrective Action Program (CAP) approved by IEMA in 2022 follow the RBCA standard. The CAP is structured to improve groundwater quality and ensure that residual impacts to groundwater from past operations at the Kerr-McGee site do not pose an imminent or potential hazard to human health or the environment. The CAP is part of a two-tiered groundwater management program. The first tier includes active treatment measures to reduce fluoride and uranium mass adsorbed onto the Physical Separation Facility (PSF) material. The second tier comprises institutional controls to protect human health and the environment while groundwater quality	N/A	The Corrective Measures Implementation Work Plan prepared by Weston Solutions, Inc. as the Trustee of the West Chicago Environmental Response Trust (WCERT) outlines WCERT's plan to design, construct, operate, monitor, and maintain the final corrective measures identified by the approved CAP for the Kerr-McGee site.	

	improves via natural attenuation.			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Mitigation is not required.	N/A		
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Mitigation is not required.	N/A		
Hazards and Nuisances including Site Safety and Site-Generated Noise	Mitigation is not required.	N/A		
Employment and Income Patterns	Mitigation is not required.	N/A		
Demographic Character Changes / Displacement	Mitigation is not required.	N/A		
Environmental Justice EA Factor	Mitigation is not required.	N/A		
Educational and Cultural Facilities (Access and Capacity)	Mitigation is not required.	N/A		
Commercial Facilities (Access and Proximity)	Mitigation is not required.	N/A		
Health Care / Social Services	Mitigation is not required.	N/A		

(Access and Capacity)				
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Mitigation is not required.	N/A		
Waste Water and Sanitary Sewers (Feasibility and Capacity)	Mitigation is not required.	N/A		
Water Supply (Feasibility and Capacity)	Mitigation is not required.	N/A		
Public Safety - Police, Fire and Emergency Medical	Mitigation is not required.	N/A		
Parks, Open Space and Recreation (Access and Capacity)	Mitigation is not required.	N/A		
Transportation and Accessibility (Access and Capacity)	Mitigation is not required.	N/A		
Unique Natural Features /Water Resources	Mitigation is not required.	N/A		
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	Mitigation is not required.	N/A		
Climate Change	Mitigation is not required.	N/A		

Energy Efficiency	Mitigation is not required.	N/A		
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**Project Mitigation Plan**

IEMA is overseeing the final phase of groundwater cleanup at the Kerr-McGee Superfund NPL site per the approved CAP. WCERT is decommissioning the former Rare Earths Facility (REF) at the Kerr-McGee site per the requirements of WCERT's Radiological Materials License STA-583. The CAP approved by IEMA in 2022 is structured to improve groundwater quality and ensure that residual impacts to groundwater from past operations do not pose an imminent or potential hazard to human health or the environment. The key features of the approved CAP are as follows: 1) Treat near-surface and readily accessible unsaturated soil in Pond 1, Pond 2, and the SFE area. Treatment will reduce the adsorbed uranium on the soil, promoting more desirable land reuse at the REF; 2) Remove existing sheet piles around various areas of the REF to promote natural attenuation of residual uranium on saturated soil, resulting in a shortened regulatory compliance timeframe compared to a no-action condition; 3) Remove and treat stagnant groundwater in Pond 1, Pond 2, and the SFE areas to minimize the release and migration of elevated fluoride and uranium concentrations to downgradient groundwater; and 4) Use institutional controls, such as the existing City of West Chicago and DuPage County ordinances, to significantly restrict groundwater use at the site and downgradient of the REF. The final radiation cleanup of the groundwater is slated to finish in 2026. After the groundwater remediation portion of the decommissioning activities has been completed, the lands associated with those activities within the project area will be conveyed to the City of West Chicago for park development.

[WCERT-LKI-1077\\_Corrective Measures\\_Work Plan\\_2022\(1\).pdf](#)

**Supporting documentation on completed measures**



## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project area is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The closest airport is DuPage Airport Authority located approximately 2.8 miles northwest of the project area. (see Figure 7). Therefore, no further assessment for compliance with 24 CFR Part 51 Subpart pertaining to Airport Hazards is required. Supporting Documentation: 1) Figure 7 - Airport Hazards; 2) NPIAS Airports in Illinois (2023-2027)

#### Supporting documentation

[A1-Airport-Hazards-Partner-Worksheet-Docs\\_Maps.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No



### Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

#### Compliance Determination

The proposed project is located in a state that does not contain Coastal Barrier Resource (CBRS) units. The closest CBRS Unit is Sadony Bayou located approximately 138 miles from the project area in Michigan. Therefore, no further assessment for compliance with the Coastal Barrier Resources Act is required. Supporting Documentation: 1) Figure 8 - Coastal Barrier Resources Map

#### Supporting documentation

[A2-Coastal-Barrier-Resources-Act-Partner-Worksheet-Docs\\_Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

[A3-Flood-Insurance-Partner-Worksheet-Docs\\_Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

✓ No

Based on the response, the review is in compliance with this section.

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

✓ No

**Screen Summary**

**Compliance Determination**

Proposed amenities to be constructed as part of the proposed project include a community pavilion which is considered an accessory structure. The project area is not located in a FEMA-designated Special Flood Hazard Area or regulatory floodway (see Figure 9). Therefore, no further assessment for compliance with the Flood Disaster Protection Act is required. Supporting Documentation: 1) Figure 9 - FEMA Flood Insurance Map

**Supporting documentation**

[A3-Flood-Insurance-Partner-Worksheet-Docs\\_Map\(1\).pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

### Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

No

#### Air Quality Attainment Status of Project's County or Air Quality Management District

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

✓ Ozone

Particulate Matter, <2.5 microns

Particulate Matter, <10 microns

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

Ozone 0.07 ppb (parts per million)

**Provide your source used to determine levels here:**

The project area is located in DuPage County, which is listed as being in moderate-nonattainment for the 8-hour ozone (2015) standard (Figure 10). The applicable *de minimis* level for ozone in the Chicago/Naperville-IL area is 100 tons per year (40 CFR 93 s. 153).

**4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

**Enter the estimate emission levels:**

Ozone 0.00 ppb (parts per million)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

**Screen Summary**

**Compliance Determination**

The project area is located in DuPage County, which is listed as being in moderate-nonattainment for the 8-hour ozone (2015) standard (Figure 10). The project area is in

attainment for all other criteria pollutants ([https://www3.epa.gov/airquality/greenbook/anayo\\_il.html](https://www3.epa.gov/airquality/greenbook/anayo_il.html)). The proposed project conforms to the State Implementation Plan (SIP) because the project by its nature would not be considered a major stationary source of pollutants that contribute to ozone formation. The applicable de minimis level for ozone in the Chicago/Naperville-IL area is 100 tons per year (40 CFR 93 s. 153). The temporary emissions generated from construction equipment during development activities and emissions generated from cars accessing the park would not be expected to contribute to existing ozone levels. Ozone levels are based upon results from designated regional monitors and not calculated based upon specific activities, in that there are no applicable emission factors. The proposed project will have minor, local, short-term impacts to the local air quality during construction due to exhaust emissions from machinery and dust from excavation activities. The planned project is surrounded by rail lines, residential areas and light commercial development. Vehicle exhaust activities are anticipated to be less than those due to local routine street traffic in the areas adjacent to the planned project. As the proposed project involves the construction of a community park for the enjoyment of the neighboring residential areas, there will be no long-term operational emissions associated with the proposed project. Therefore, no further assessment for compliance with the Clean Air Act is required. Supporting Documentation: 1) Figure 10 - Ozone Air Quality Nonattainment Map; 2) Illinois Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants ([https://www3.epa.gov/airquality/greenbook/anayo\\_il.html](https://www3.epa.gov/airquality/greenbook/anayo_il.html)). Data is current as of February 29, 2024.

**Supporting documentation**

[A4-Air-Quality-Partner-Worksheet-Docs\\_Maps.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### Compliance Determination

The proposed project area is not located within or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project area is located approximately 28 miles from the nearest Coastal Zone Management Boundary (see Figure 11). Therefore, no further assessment for compliance with the Coastal Barrier Resources Act is required. Supporting Documentation: 1) Figure 11 - Coastal Zone Management Boundary

#### Supporting documentation

[A5-Coastal-Zone-Management-Act-Partner-Worksheet-Docs\\_Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



## Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
<b>Reference</b>		
<a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>		

**1. How was site contamination evaluated?\* Select all that apply.**

- ✓ ASTM Phase I ESA
- ✓ ASTM Phase II ESA
- ✓ Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

\* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site. For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD’s toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances\* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

Provide a map or other documentation of absence or presence of contamination\*\* and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

No

Explain:

✓ Yes

\* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

\*\* Utilize EPA's Enviromapper, NEPAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

**3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions\* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?**

✓ Yes

Explain:

Yes, see radiological monitoring program results in the Corrective Measures Implementation Work Plan for the Kerr-McGee site under Supporting Documentation.

No

\* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.

- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

## 8. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan\*.

### Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.  
Project cannot proceed at this location.

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.  
Provide all mitigation requirements\*\* and documents in the Screen Summary at the bottom of this screen.

\* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

\*\* Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

## 9. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls\*, or use of institutional controls\*\*.

The groundwater remediation activities currently underway or completed at the site per the Corrective Action Program (CAP) approved by IEMA in 2022 follow the RBCA standard. The CAP is structured to improve groundwater quality and ensure that residual impacts to groundwater from past operations at the Kerr-McGee site do not pose an imminent or potential hazard to human health or the environment. The CAP is part of a two-tiered groundwater management

program. The first tier includes active treatment measures to reduce fluoride and uranium mass adsorbed onto the Physical Separation Facility (PSF) material. The second tier comprises institutional controls to protect human health and the environment while groundwater quality improves via natural attenuation.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

✓ Risk-based corrective action (RBCA)

Other

\* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

\*\* Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

### **Screen Summary**

#### **Compliance Determination**

The Kerr-McGee site is one of four Superfund National Priorities List (NPL) sites in the West Chicago area that had been contaminated with radioactive thorium wastes (see Figure 12). The radioactive waste came from a nearby facility known as the Rare Earths Facility (REF). The REF produced non-radioactive elements known as rare earths and radioactive elements such as thorium, radium and uranium along with gas lantern mantles for private entities and federal atomic energy programs.

Remediation/decommissioning activities have occurred at the Kerr-McGee site since 1994. The soil remediation portion of the decommissioning activities which involved complete removal of all contaminated soils at the site was completed in November 2015. A summary of the series of environmental site assessments, investigations, and remediation activities that have occurred at the Kerr-McGee site since 1994 and the final decommissioning activities that are in progress is provided under Supporting

Documentation. IEMA is overseeing the final phase of groundwater cleanup. Weston Solutions, Inc. (WESTON) is the trustee and radiological licensee for the West Chicago Environmental Response Trust (WCERT) the current owner of the REF. WCERT has begun implementing the final corrective measures at the Kerr-McGee site as outlined in the Corrective Measures Implementation Work Plan (provided under Supporting Documentation) to complete the groundwater remediation activities and to achieve the Groundwater Protection Standard at the site. The groundwater remediation activities undertaken or completed at the Kerr-McGee site since 2022 are summarized in a letter from WCERT dated June 20, 2024 (provided under Supporting Documentation). The final radiation cleanup of the groundwater is slated to finish in 2026. After the groundwater remediation portion of the decommissioning activities has been completed, the lands associated with those activities within the project area will be conveyed to the City of West Chicago for park development. With the mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements. Supporting Documentation: 1) Figure 12 - EPA Facilities and ECHOmapping Results; 2) Attachment A - Summary of Remediation/Decommissioning Activities at Kerr McGee Site; 3) WCERT. 2022. Corrective Measures Implementation Work Plan for Former Rare Earths Facility, West Chicago, Illinois. April 15, 2022; 4) WCERT letter dated June 20, 2024

**Supporting documentation**

[WCERT REF Rem West Chicago LTR 20 June 2024.pdf](#)  
[WCERT-LKI-1077\\_Corrective Measures\\_Work Plan\\_2022.pdf](#)  
[A6-Contamination-and-Toxic-Substances-Multifamily-Partner-Worksheet\\_Attachment A.pdf](#)  
[A6-Contamination-and-Toxic-Substances-Multifamily-Partner-Worksheet-Docs\\_mapping.pdf](#)

**Are formal compliance steps or mitigation required?**

✓ Yes

No

### Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**



- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.**

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

Based on the results of the desktop review and on-site pedestrian habitat assessment, CEC has determined that the proposed project will have no effect on federal and state listed species with the potential to occur in the project area and no mitigation is required (see supporting

documentation).

### **Screen Summary**

#### **Compliance Determination**

A habitat assessment was conducted for the proposed project on September 30, 2023, by Civil & Environmental Consultants, Inc. (CEC) to determine the presence of federally listed threatened and endangered species and/or their habitat including critical habitat within the project area. CEC consulted the USFWS Information for Planning and Consultation (IPaC) database and the IDNR Ecological Compliance Assessment Tool (EcoCAT) to generate an Official Species List for the project area (see attached reports). The IPaC Official Species List indicated seven (7) federally listed, proposed for listing, or candidate species with the potential to occur in the project area (see Table 1). According to the USFWS IPaC list, no unique, critical, designated, or proposed habitat exists within or near the project area. During the time of the habitat assessment, no listed species were observed within the project area. Based on the results of the desktop review and on-site pedestrian habitat assessment, CEC has determined that the proposed project will have no effect on federal and state listed species with the potential to occur in the project area and no mitigation is required. The evaluation and determination of effects for each of the listed species is provided in Table 1. Supporting Documentation: 1) Table 1 - Summary of Habitat Conclusions and Species Determinations; 2) USFWS IPaC Official Species List; 3) IDNR EcoCAT Natural Resource Review Results

#### **Supporting documentation**

[A7-Endangered-Species-Act-Partner-Worksheet-Docs\\_Species Reports.pdf](#)  
[A7-Endangered-Species-Act-Partner-Worksheet\\_Table 1.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

### Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Yes

**Screen Summary**

**Compliance Determination**

The proposed project does not involve a hazardous facility that will store, handle or process flammable or combustible chemicals. Based on the September 30, 2023 site visit, no existing explosive or flammable hazards or aboveground stationary storage tanks (ASTs) were observed at the subject property or within a mile of the project area. Therefore, no further assessment for compliance with 24 CFR Part 51 Subpart C pertaining to Explosive and Flammable Hazards is required.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

### Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

The project area consists of urban soils that are not designated as agricultural land or farmland (see Figure 13).

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

#### Screen Summary

##### **Compliance Determination**

The project area consists of urban soils that are not designated as agricultural land or farmland (see Figure 13). Additionally, proposed project activities will occur on parcels where previous disturbance has occurred and do not include any activities that could potentially convert agricultural land to a non-agricultural use indicating consistency with activities not subject to the Farmland Protection Policy Act (FPPA). Therefore, no further assessment is required. Supporting Documentation: 1) Figure 13 - Prime Farmland - SSURGO Soils

##### **Supporting documentation**

[A9-Farmlands-Partner-Worksheet-Docs\\_Map.pdf](#)

##### **Are formal compliance steps or mitigation required?**

Yes

Kerr-McGee-Superfund-  
Remediation/Community-  
Park-Project

West Chicago, IL

900000010408952

✓ No



## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

**1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?**

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial



interests under previously approved loans, grants, mortgage insurance, or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

**2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.**

Yes

Describe:

No

**3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination**

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information<sup>1</sup> to determine flood elevation. Include documentation and an explanation of why this is the best available information<sup>2</sup> for the site. Note that newly constructed and substantially improved<sup>3</sup> structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

- ✓ 0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

<sup>1</sup> Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

<sup>2</sup> If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

<sup>3</sup> Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

No

### **Screen Summary**

#### **Compliance Determination**

No FEMA 100-year floodplains occur within the project area (see Figure 14). The project area and most surrounding areas are within an area of minimal flood hazard. The nearest documented floodplain by FEMA is located 0.15 miles south of the project area. Because the proposed project does not occur within a floodplain, the HUD 8-Step Floodplain Management Decision-Making Process does not apply and no further assessment for compliance with Executive Order (EO) 11988 is required.  
Supporting Documentation: 1) Figure 14 - FEMA Floodplain Map

#### **Supporting documentation**

[A10-Floodplain-Management-Partner-Worksheet-Docs\\_Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### Threshold

#### Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

### Step 1 – Initiate Consultation

#### Select all consulting parties below (check all that apply):

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

✓ Citizen Potawatomi Nation Completed

✓ Forest County Potawatomi Community	Completed
✓ Hannahville Indian Community	Completed
✓ Kickapoo Tribe of Oklahoma	Completed
✓ Little Traverse Bay Bands of Odawa Indians	Completed
✓ Menominee Indian Tribe of Wisconsin	Completed
✓ Miami Tribe of Oklahoma	Completed
✓ Prairie Band Potawatomi Nation	Completed

Other Consulting Parties

**Describe the process of selecting consulting parties and initiating consultation here:**

HUD's Tribal Directory Assessment Tool was consulted to identify Tribes including Tribal Historic Preservation Officers that may have an interest in the area where the project is located. The City initiated coordination with each of the 8 Tribes listed above on November 21, 2023, and then again on January 11, 2024, via email correspondence to those tribes that did not provide an initial response.

Document and upload all correspondence, notices and notes (including comments and objections received below).

**Was the Section 106 Lender Delegation Memo used for Section 106 consultation?**

Yes

No

***Step 2 – Identify and Evaluate Historic Properties***

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

It is assumed that the APE is limited to the area of direct effects within the project area (approximately 43 acres).

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination

below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
----------------------------------	-----------------------------	------------------	--------------------------

**Additional Notes:**

**2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

Yes

No

***Step 3 –Assess Effects of the Project on Historic Properties***

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

**Document reason for finding:**

No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

### **Screen Summary**

#### **Compliance Determination**

Based on the results of the records review of known cultural, archaeological, and historic resources conducted on October 25, 2023, for the proposed project, there are no previously recorded archaeological sites or historic properties within the assumed APE - the approximate 43-acre project area (see Attachment A under Supporting Documentation for the complete records review and associated mapping).

Additionally, the project area is not located within a high probability area according to the Illinois archaeological GIS database. Consequently, there is not a high likelihood of prehistoric resources being present in the project area. IL SHPO was consulted for determination of whether the project could affect any National Register eligible or listed historic or archaeological properties. Response from SHPO (January 9, 2024) indicated that no historic properties or archaeological resources would be affected (response attached under Supporting Documentation). A response was also received from the Forest County Potawatomi Community (FCPC) on December 28, 2023, and offered a finding of No Historic Properties affected of significance to the FCPC (response attached under Supporting Documentation). Supporting Documentation: 1) Attachment A - Records Review and Mapping; 2) SHPO Response; 3) Forest County Potawatomi Community (FCPC) Response

#### **Supporting documentation**

[A11-Historic-Preservation-Partner-Worksheet\\_Supporting Docs.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

**Noise Abatement and Control**

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

✓ None of the above

**Screen Summary**

**Compliance Determination**

Proposed project activities do not involve new construction for residential use, rehabilitation of an existing residential property, or a research demonstration project. According to the Bureau of Transportation National Transportation Noise Levels Map (Figure 15), the project area is located in a noise area at 50 to 54.9 dBA, noise levels typical of urban residential areas. Construction and other project-related activities may cause temporary noise level increases but will be short in duration at a given location and will therefore have minimal effect on the nearby residences. Additionally, the City's Contractor will implement best management practices and



comply with local noise ordinances during construction to minimize the potential for harmful effects. Therefore, no further assessment is required. Supporting Documentation: 1) Figure 15 - National Transportation Noise Levels Map

**Supporting documentation**

[A12-Noise-EA-Partner-Worksheet-Docs\\_Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Sole Source Aquifers

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

### Screen Summary

#### Compliance Determination

The proposed project is not located on or near a sole source aquifer (SSA). The nearest SSA is the Mahomet Aquifer located approximately 72 miles south of the

project area (see Figure 16). No impacts on a SSA would result from the proposed project; thus, no further assessment for compliance with the Safe Drinking Water Act is required. Supporting Documentation: 1) Figure 16 - Nearest Sole Source Aquifer

**Supporting documentation**

[A13-Sole-Source-Aquifers-Partner-Worksheet-Docs\\_Map.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

### **Screen Summary**

#### **Compliance Determination**

Civil & Environmental Consultants, Inc. (CEC) performed a waters delineation for the proposed project on September 30, 2023, to determine the presence of wetlands, stream and other waters of the U.S. (WOTUS) within the project area. The results of the delineation are summarized below and detailed further in the attached Waters Delineation Report (2023). Prior to the field study, a desktop analysis was conducted to help identify potential wetlands, streams, and other WOTUS within the 49-acre survey area (which includes the 43-acre project area plus a 5-acre buffer). A review of the USGS topographic map and National Hydrography Dataset (NHD) stream layer identified no streams within the survey area (see Figures 1 & 2 in the attached report). A review of the USFWS National Wetlands Inventory (NWI) data identified one (1) potential wetland within the survey area (Figure 2 in the attached report). The NWI classified this resource as PEM1A (Palustrine, Emergent, Persistent, Temporary Flooded). No FEMA 100-year floodplains occur within the survey area. The survey area and most surrounding areas are within an area of minimal flood hazard see (Figure 3 in the attached report). Results of the field survey concluded that no wetlands were identified within the survey area. One (1) sampling point documented the upland habitat within the survey area (see Figure 4 in the attached report). The upland habitat consisted of mowed fields. No streams or other WOTUS were identified within the survey area. Photographs of the survey area are provided in the attached Waters Delineation Report under Supporting Documentation. Supporting Documentation: 1) Waters Delineation Report (November 2023)

#### **Supporting documentation**

[A14-Wetlands-Partner-Worksheet-Docs\\_Waters Delineation Rpt.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### **Compliance Determination**

The proposed project is not located in proximity of a National Wild and Scenic River System river. The nearest designated wild and scenic river is the Middle Fork of the Vermilion River approximately 105 miles south of the project area (see Figure 17). No impacts on wild and scenic rivers would result from the proposed project; thus, no further assessment for compliance with the Wild and Scenic Rivers Act is required. Supporting Documentation: 1) Figure 17 - Nearest Wild and Scenic River

#### **Supporting documentation**

[A15-Wild-and-Scenic-Rivers-Partner-Worksheet-Docs\\_Map.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No

**Environmental Justice**

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?**

Yes

No

Based on the response, the review is in compliance with this section.

**Screen Summary**

**Compliance Determination**

An EJ analysis was conducted to evaluate whether or not an EJ issue may occur from development of a new community park at the former Kerr-McGee Superfund site. EPA's EJScreen Tool and the CEQ Climate and Economic Justice Screening Tool (CEJST) were consulted to identify preexisting EJ concerns in the affected area as compared to the larger state, EPA region, and nation. Per the findings of this EJ analysis (see Attachment A under Supporting Documentation), the proposed project location does fall within a disadvantaged census tract and two of the other 13 census tracts that intersect the 3-mile study area are also identified as disadvantaged. However, the proposed new park is not anticipated to have a negative impact on the health and welfare of the surrounding communities. The proposed new park will positively impact disadvantaged communities by supporting the inclusive recreational needs of the surrounding neighborhoods and local area. Supporting Documentation: 1) Attachment A - EJ Analysis; 2) U.S. EPA EJScreen Community Report for the Proposed Project; 3) Figure 18 - Results of Climate and Economic Screening Tool

**Supporting documentation**

[A16-Environmental-Justice-Partner-Worksheet\\_Supporting\\_Documentation.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No





U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

## Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

### Project Information

**Project Name:** Kerr-McGee-Superfund-Remediation/Community-Park-Project

**HEROS Number:** 900000010408952

**Project Location:** 301 Ann St, West Chicago, IL 60185

#### **Additional Location Information:**

The Kerr-McGee site is located at the southwest corner of Blair Street and Ann Street in West Chicago, DuPage County, Illinois (City) (see Figure 1). The project area is bordered on the west by the Wisconsin Central Ltd. (WCL) Railroad (formerly Elgin-Joliet and Eastern [EJ&E], and currently owned by Canadian National), on the east and north by residential areas, and on the south by light commercial development. According to the U.S. Department of Housing and Urban Development (HUD), which obtains data from the U.S. Census, the area of the proposed community park is located within a Low to Moderate Income Area (LMA) with 82.81% of households earning less than 80% of the Area Median Income (HUD 2024) which meets HUD's qualification criteria for the Community Development Block Grant (CDBG) program of 51% low- and moderate income persons (see Figures 3-5).

#### **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The proposed project consists of the construction of a new envisioned park at the Kerr-McGee site, a former industrial park contaminated with radioactive thorium wastes. The new envisioned community park was contemplated as part of a federal Consent Decree associated with the Kerr-McGee contamination remediation. The proposed project area comprises 14 parcels of land where environmental remediation activities have occurred since 1997. Those investigations and remediation activities (further described below under Existing Conditions and Trends) have resulted in the cleanup of contaminated soil and groundwater at the site. The final corrective measures are being implemented to complete the groundwater remediation activities. Once complete, those parcels will then be transferred over to the City for the newly envisioned park. The City approved the new Community Park Master Plan developed by Upland Design Ltd on September 5, 2023, after extensive work with City staff and community members. The proposed development's general scope includes site preparation and the recreational park's construction. Proposed amenities include a therapeutic playground, walking paths, a monarch butterfly garden, a community gathering space for festivals, multi-use fields, and a challenge course. All the new parking lots will include Americans with Disabilities Act (ADA) parking spaces and pedestrian drop off locations. Additionally, a path will be constructed under the Canadian National Railroad tracks that would link the new park to the existing

Pioneer Park and allow residents on both sides of the tracks to enjoy the amenities of both Parks (see Figure 6).

**Funding Information**

Grant Number	HUD Program	Program Name	
B-23-CP-IL-0533	Community Planning and Development (CPD)	Community Project Funding (CPF) Grants	\$2,000,000.00

**Estimated Total HUD Funded Amount:** \$2,000,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$15,600,000.00

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
Contamination and Toxic Substances	The groundwater remediation activities currently underway or completed at the site per the Corrective Action Program (CAP) approved by IEMA in 2022 follow the RBCA standard. The CAP is structured to improve groundwater quality and ensure that residual impacts to groundwater from past operations at the Kerr-McGee site do not pose an imminent or potential hazard to human health or the environment. The CAP is part of a two-tiered groundwater management program. The first tier includes active treatment measures to reduce fluoride and uranium mass adsorbed onto the Physical Separation Facility (PSF) material. The second tier comprises institutional controls to protect human health and the environment while groundwater quality improves via natural attenuation.
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	Mitigation is not required.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Mitigation is not required.
Hazards and Nuisances including Site Safety and Site-Generated Noise	Mitigation is not required.
Energy Efficiency	Mitigation is not required.

Employment and Income Patterns	Mitigation is not required.
Demographic Character Changes / Displacement	Mitigation is not required.
Educational and Cultural Facilities (Access and Capacity)	Mitigation is not required.
Commercial Facilities (Access and Proximity)	Mitigation is not required.
Health Care / Social Services (Access and Capacity)	Mitigation is not required.
Solid Waste Disposal and Recycling (Feasibility and Capacity)	Mitigation is not required.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	Mitigation is not required.
Water Supply (Feasibility and Capacity)	Mitigation is not required.
Public Safety - Police, Fire and Emergency Medical	Mitigation is not required.
Parks, Open Space and Recreation (Access and Capacity)	Mitigation is not required.
Transportation and Accessibility (Access and Capacity)	Mitigation is not required.
Unique Natural Features /Water Resources	Mitigation is not required.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	Mitigation is not required.
Climate Change	Mitigation is not required.
Environmental Justice EA Factor	Mitigation is not required.
Permits, reviews, and approvals	All applicable permits will be obtained prior to beginning construction of the proposed park.

**Project Mitigation Plan**

IEMA is overseeing the final phase of groundwater cleanup at the Kerr-McGee Superfund NPL site per the approved CAP. WCERT is decommissioning the former Rare Earths Facility (REF) at the Kerr-McGee site per the requirements of WCERT's Radiological Materials License STA-583. The CAP approved by IEMA in 2022 is structured to improve groundwater quality and ensure that residual impacts to groundwater from past operations do not pose an imminent or potential hazard to human health or the environment. The key features of the approved CAP are as follows: 1) Treat near-surface and readily accessible unsaturated soil in Pond 1, Pond 2, and the SFE area. Treatment will reduce the adsorbed uranium on the soil, promoting more desirable land reuse at the REF; 2) Remove existing sheet piles around various areas of the REF to promote natural attenuation of residual uranium on saturated soil, resulting in a shortened regulatory compliance timeframe compared to a no-action condition; 3) Remove and treat stagnant groundwater in Pond 1, Pond 2, and the SFE areas to minimize the release and migration of elevated fluoride and uranium concentrations to downgradient groundwater; and 4) Use institutional controls, such as the existing City of West Chicago and DuPage County ordinances, to significantly restrict groundwater use at the site and downgradient of the REF. The final radiation cleanup of the groundwater is slated to finish in 2026. After the groundwater remediation portion of the decommissioning activities has been completed, the lands associated with those activities within the project area will be conveyed to the City of West Chicago for park development.

[WCERT-LKI-1077 Corrective Measures Work Plan 2022\(1\).pdf](#)

**Determination:**

<input checked="" type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name / Title/ Organization: Lisa Mash / CHICAGO

Certifying Officer Signature:  \_\_\_\_\_ Date: 8/21/24

Name/ Title: Michael Guttman, City Administrator

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).