



# Cardinal Free Press

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## *Pollution - 1980* Valspar waste dumping was subject of probe

By KATHY HARGER

Valspar Corporation, a firm interested in purchasing the McWhorter I.M.C. chemical plant in Carpentersville's Cottage Avenue industrial park, has been storing barrels of waste on unlicensed dumping grounds for at least five years, according to the Illinois Environmental Protection Agency.

Valspar also has been the subject of state and federal EPA investigations as well as a \$1 million private lawsuit based on the dumping of its chemical waste.

The lawsuit was first filed Nov. 21, 1972, by Rockford area resident Marvin Johnson against Valspar Corp.

and Tipton farm. The suit charged barrels of chemical waste, allegedly from Valspar's Rockford plant, were illegally dumped at the Tipton site near Johnson's residence.

In a Nov. 9, 1980, copyrighted report by the *Chicago Sun Times*, illnesses of the Johnson family were detailed. And in the court case, the Johnsons maintained Valspar's chemicals caused their failing health.

The article reported the suit went to trial in May 1980 with Valspar and Tipton winning the case. Violet Johnson, wife of Marvin Johnson, said the suit is currently under appeal.

The suit charged the contamination of Johnson's water supply by wastes dumped at Tipton farm between 1963 and 1973 "constituted an ultrahazardous activity," and "reckless disregard for the safety and protection of human beings," the *Sun Times* reported.

According to Delbert Haschemeyer, IEPA deputy director, "Valspar and several other companies had their waste hauled to this site (Tipton). And during the time Valspar and Tipton were being sued, Valspar had their wastes hauled to Franklin Grove, Illinois.

"It (the barrels of waste) has been moved around quite a bit. Now it's in

the process of being moved (again), hopefully for the last time," Haschemeyer added.

Rockford EPA spokesman Bob Wengrow said after the move from the Tipton farm to Franklin Grove, the owner of the new dump site was probably paid to take the waste, possibly thinking he could use some of it.

According to an IEPA sampling of 40 of the estimated 1,200 barrels stored at Bob Logan's Tractor and Implement Co. in Franklin Grove, most contain flammable and toxic paint waste.

Valspar's environmental specialist Elbert Espinel, however, denied the

EPA's information. He would not comment further, except for saying that the corporation has obtained permits.

"We complied with the environmental laws at the time," a spokesman from Valspar's Rockford plant said.

Corporate officials would not explain procedures for Valspar's chemical waste disposal.

OLD TOWN Carpentersville, a residential area since the turn of the century, is located on the fringes of the industrial park that houses both the McWhorter and Cargill resin-producing plants. If Valspar suc-

ceeds in purchasing the McWhorter plant, the corporation intends to operate at the same level of resin production as McWhorter currently does.

Valspar's General Manager G. Wallace Meyer has said the firm's Rockford plant, also in the middle of a residential area, has met with community approval.

ACCORDING TO Dick Young, Kane County Building Department Environmental director, the federal EPA has regarded the disposal of chemical waste as an unmet and unaddressed problem for the last few years.

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## Meeting nears for land vote

By PAM HOPP

LAKE IN THE HILLS — Members of the Property Owners Association (POA) have been mailed notices of this Friday's vote to transfer POA property to the village.

President Chic Bishoff said the letters were mailed late last week. Bishoff said some members may

According to the POA constitution before the status of any property change, members must be notified by writing and 50 members must be present at the meeting. During the vote, 75 percent of the voting must approve before any change. All adult households





# Valspar waste dumping

"Prior to the federal law effective Nov. 19, it has been a no man's land as far as regulating the indiscriminate dumping fouling our ground water," Young said.

The new federal law states the disposal of hazardous waste requires a permit to be submitted to both the federal and state EPA division of Land Pollution Control.

Because pollutants sometimes take years to surface, the community's health is contingent upon the future as well as the past effects chemical plants have on the area's land, air and the Fox River.

Meyer said last week that his firm can't guarantee accidental spills won't happen.

AT AN Old Towne Association meeting last week, Meyer answered questions and reassured residents of Valspar's good intentions toward the plant operations. Discussion by residents indicated they were most concerned with the health of themselves and their families.

One person from the audience said he was primarily worried about the future of the area and its residents. Another resident asked, "Must we have another chemical plant in the area?"

Still others expressed doubts of Valspar's sincerity toward working with residents' and making improvements at the site.

**VILLAGE MANAGER** George Shaw points out, however, the McWhorter plant has been sold three times since the initial construction.

In all cases, he noted, the village was not notified about its purchase plans until after the sales.

"We have a better chance of getting something done," Shaw said in support of the village issuing industrial revenue bonds to aid Valspar's purchase. "If we let somebody else sneak in and buy it, we don't get any input at all."

He also said Valspar has sent three letters to the village promising changes to clean-up McWhorter's present operation, which he said were "as good as contracts."

The only documented request the IEPA has made of Valspar, according to IEPA officials, is the removal of the barrels from Logan's dump in Franklin Grove. This request has yet to be met. But the agency has no record of violations, enforcement or legal action pending at this time against Valspar, an IEPA spokesman said.

**IN THE TRIAL** of the suit the Johnsons filed against Valspar, the firm was proved innocent in one instance. The jury indicated that evidence was lacking connecting the dumping of Valspar's waste with the Johnsons' illnesses. And since their symptoms started before Valspar began dumping on the Tipton farm, the Johnson case was to no avail.

Violet Johnson was not convinced by the verdict, however, and said she still harbors suspicions about the company. "As far as Valspar, I'd be very careful," she said. "They'll tell you one thing and do another."

She said her family's health has improved since they stopped drink-

ing the water from a well that was shown to contain amounts of harmful chemicals and moved from their Rockford area residence. However, they are still receiving treatments for mercury poisoning.

She also noted the well on their property was the closest well to the Tip-

ton farm. Because the underground current flows toward the Rock River, she said, their well was the first among others affected by the water's flow.

**IF VALSPAR** succeeds in obtaining \$4 million in industrial revenue

bonds from the village, officials have indicated they intend to spend \$1.1 million in capital improvements on the existing McWhorter facility.

Additionally, Valspar has agreed to a separate expenditure of \$40,000 to participate in the village's goal of installing a new water main system.

As far as the likelihood of the purchase, McWhorter I.M.C.'s General Manager Jud Higgins said, "We're still going back and forth on the sale."

The village board is expected to act on the request for the \$4 million in bonds at its Dec. 15 meeting.



Officials from the village of Carpentersville and Valspar Corporation view some of the barrels marked "liquid and waste" on the property of the McWhorter I.M.C. Co. plant off Cottage Avenue in the Old Towne

area. Valspar has requested \$4 million in industrial revenue bonds from the village for purchase of the plant.

Photo by Sig Bokalders



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