

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4946

To establish the Midewin National Tallgrass Prairie in the State of Illinois,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 12, 1994

Mr. SANGMEISTER introduced the following bill; which was referred jointly to  
the Committees on Armed Services, Agriculture, and Energy and Commerce

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## A BILL

To establish the Midewin National Tallgrass Prairie in the  
State of Illinois, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND DEFINITIONS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Illinois Land Conservation Act of 1994”.

6 (b) **DEFINITIONS.**—For purposes of this Act:

7 (1) The term “Administrator” means the Ad-  
8 ministrator of the United States Environmental Pro-  
9 tection Agency.

1           (2) The term “agricultural purposes” means  
2 the use of land for row crops, pasture, hay, and  
3 grazing.

4           (3) The terms “applicable law” and “applicable  
5 laws” mean all applicable Federal, State, and local  
6 laws, regulations, and requirements, including but  
7 not limited to the Comprehensive Environmental Re-  
8 sponse, Compensation and Liability Act of 1980 (42  
9 U.S.C. 9601 et seq.), the Resource Conservation and  
10 Recovery Act (42 U.S.C. 6901 et seq.), the Clean  
11 Water Act (33 U.S.C. 1251 et seq.) and the Clean  
12 Air Act (42 U.S.C. 7401 et seq.), and any amend-  
13 ments and implementing regulations of such Acts,  
14 and any other laws, regulations, and requirements  
15 related to protection of human health or the environ-  
16 ment.

17           (4) The terms “applicable environmental law”  
18 and “applicable environmental laws” mean all appli-  
19 cable Federal, State, and local laws, regulations, and  
20 requirements related to protection of human health  
21 or the environment, including but not limited to  
22 those stated in section 1(b)(3).

23           (5) The term “Arsenal” means the Joliet Army  
24 Ammunition Plant located in the State of Illinois.

1           (6) The acronym “CERCLA” means the Com-  
2           prehensive Environmental Response, Compensation  
3           and Liability Act of 1980 (42 U.S.C. 9601 et seq.),  
4           as amended.

5           (7) The term “hazardous substance” has the  
6           meaning given such term by section 101(14) of  
7           CERCLA (42 U.S.C. 9601(14)).

8           (8) The abbreviation “MNP” means the  
9           Midewin National Tallgrass Prairie established pur-  
10          suant to section 4 and managed as a part of the Na-  
11          tional Forest System.

12          (9) The term “person” has the meaning given  
13          that term by section 101(21) of CERCLA (42  
14          U.S.C. 9601(21)).

15          (10) The term “pollutant or contaminant” has  
16          the meaning given such term by section 101(33) of  
17          CERCLA (42 U.S.C. 9601(33)).

18          (11) The term “response action” has the mean-  
19          ing given the term “response” by section 101(25) of  
20          CERCLA (42 U.S.C. 9601(25)).

21          (12) The term “national cemetery” means a  
22          cemetery established and operated as part of the De-  
23          partment of Veterans Affairs National Cemetery  
24          System and subject to the provisions of chapter 24  
25          of title 38, United States Code.

1 **SEC. 2. TRANSFER OF MANAGEMENT RESPONSIBILITIES**  
2 **AND JURISDICTION OVER THE JOLIET ARSE-**  
3 **NAL.**

4 (a) PRINCIPLES OF TRANSFER.—

5 (1) The Congress hereby ratifies in principle  
6 the proposals generally identified by the land use  
7 plan which was developed by the Joliet Arsenal Citi-  
8 zen Planning Commission and unanimously ap-  
9 proved on April 8, 1994.

10 (2) The area constituting the MNP shall be  
11 transferred, without reimbursement, to the Secretary  
12 of Agriculture.

13 (3) Management by the Secretary of Agri-  
14 culture of those portions of the Arsenal so trans-  
15 ferred shall be in accordance with section 4.

16 (4) This Act does not change in any fashion the  
17 responsibilities or liabilities of any person under any  
18 applicable environmental law except that the Sec-  
19 retary of Agriculture shall not be liable or respon-  
20 sible for contamination resulting from or related to  
21 the condition of the property existing prior to trans-  
22 fer of the property, including but not limited to mi-  
23 gration of hazardous substances, pollutants, con-  
24 taminants, or petroleum products or their derivatives  
25 disposed during activities of the Department of the  
26 Army.

1           (5) The Secretary of the Army shall be respon-  
2           sible for the upkeep and maintenance of all fences,  
3           guard houses, and other security facilities, as well as  
4           the costs of security personnel on all portions of the  
5           Arsenal that have not been transferred to the Sec-  
6           retary of Agriculture.

7           (6) The Secretary of the Army, the Secretary of  
8           Agriculture, and the Administrator are individually  
9           and collectively authorized to enter into cooperative  
10          agreements and memoranda of understanding  
11          among each other and with other affected Federal,  
12          State and local governments, private organizations  
13          and corporations for the purposes of implementing  
14          this Act and carrying out the purposes for which the  
15          MNP is established.

16          (b) INTERIM ACTIVITIES OF THE SECRETARY OF AG-  
17          RICULTURE.—Prior to transfer and subject to such rea-  
18          sonable terms and conditions as the Secretary of the Army  
19          may prescribe, the Secretary of Agriculture may enter  
20          upon the Arsenal property for purposes related to plan-  
21          ning, resource inventory, fish and wildlife habitat manipu-  
22          lation (which may include prescribed burning), and other  
23          such activities consistent with the purposes for which the  
24          MNP is established. Except as provided in section 2(a)(4),  
25          the Secretary of Agriculture shall not be liable or respon-

1 sible in any way under CERCLA or any other applicable  
2 environmental law for environmental conditions related to  
3 any such interim activities.

4 (c) TRANSFER OF JURISDICTION.—Jurisdiction over  
5 lands comprising the Arsenal shall be transferred as fol-  
6 lows:

7 (1) Within 6 months of enactment of this Act  
8 and in accordance with section 2(a), the Secretary of  
9 the Army shall effect the transfer of those portions  
10 of the Arsenal property identified for transfer to the  
11 Secretary of Agriculture pursuant to section 2(c)(2)  
12 and to the Secretary of Veterans Affairs pursuant to  
13 section 5.

14 (2) The lands so transferred pursuant to para-  
15 graph (1) of subsection (c) shall be identified on a  
16 map or maps which shall be agreed to by the Sec-  
17 retary of the Army and the Secretary of Agriculture.  
18 Generally, the land to be transferred to the Sec-  
19 retary of Agriculture shall be all the real property  
20 and improvements comprising the Arsenal, except  
21 for lands and facilities described in section 2(d) or  
22 designated for disposal under section 5.

23 (3) All costs of necessary surveys for the trans-  
24 fer of jurisdiction of properties among Federal agen-  
25 cies shall be shared equally by the Secretary of the

1 Army and the Secretary of the Department to whom  
2 the land is being transferred. For lands transferred  
3 to a non-Federal agency pursuant to section 5, the  
4 Army shall pay the survey costs.

5 (d) PROPERTY USED FOR ENVIRONMENTAL CLEAN-  
6 UP PURPOSES.—The Secretary of the Army shall retain  
7 jurisdiction, authority, and control over real property at  
8 the Arsenal to be used for water treatment; the treatment,  
9 storage, or disposal of any hazardous substance, pollutant  
10 or contaminant, petroleum products or their derivatives;  
11 or other purposes related to any response action at the  
12 Arsenal and other action required under any other applica-  
13 ble environmental law to remediate contamination or con-  
14 ditions of non-compliance at the Arsenal. The Secretary  
15 of the Army shall consult with the Secretary of Agriculture  
16 regarding the identification and management of the real  
17 property retained under this paragraph and ensure that  
18 activities carried out on that property are consistent, to  
19 the extent practicable, with the purposes for which the  
20 MNP is to be established under section 4(c), and consist-  
21 ent with the provisions of sections 4 (a), (b), and (d)–  
22 (i). In the case of any conflict between management of  
23 the property by the Secretary of Agriculture and any re-  
24 sponse action or action required under applicable law to

1 remediate petroleum products or their derivatives, the re-  
2 sponse action or other action shall take priority.

3 **SEC. 3. CONTINUATION OF RESPONSIBILITY AND LIABIL-**  
4 **ITY OF THE SECRETARY OF THE ARMY FOR**  
5 **ENVIRONMENTAL CLEANUP.**

6 (a) RESPONSIBILITY.—The Secretary of the Army  
7 shall, with respect to the real property at the Arsenal, re-  
8 main liable for and continue to carry out—

9 (1) all response actions required under  
10 CERCLA and other applicable provisions of law at  
11 or related to the property, and

12 (2) all actions required under any other applica-  
13 ble law to remediate petroleum products or their de-  
14 rivatives (including motor oil and aviation fuel).

15 The liabilities and responsibilities of the Secretary of the  
16 Army described in the preceding sentence shall not trans-  
17 fer under any circumstances to the Secretary of Agri-  
18 culture. The Secretary of Agriculture shall consult with  
19 the Secretary of the Army with respect to the Secretary  
20 of Agriculture's management of real property subject to  
21 any such response action or other action at the property  
22 being carried out by or under the authority of the Sec-  
23 retary of the Army under such provisions of law.

24 (b) LIABILITY.—(1) Subject to subsections (b)(3)  
25 and (b)(4), nothing in this Act shall relieve, and no action

1 may be taken under this Act to relieve, the Secretary of  
2 the Army or any other person from any obligation or other  
3 liability that they may have at the Arsenal under  
4 CERCLA and other laws.

5 (2) After the transfer of jurisdiction under section  
6 2(c), the Secretary of the Army shall retain any obligation  
7 or other liability at the Arsenal that it may have under  
8 CERCLA and other applicable laws and shall be accorded  
9 all easements and access as may be reasonably required  
10 to carry out such obligation or other liability.

11 (3) Subject to subsection (b)(4), the Secretary of Ag-  
12 riculture shall not be responsible or liable for any costs  
13 of response actions required under CERCLA at or related  
14 to the Arsenal, or, with respect to non-compliance at or  
15 related to the Arsenal by the Secretary of the Army of  
16 any applicable environmental law, for any costs, penalties,  
17 fines, costs of actions necessary to remedy such non-com-  
18 pliance, or costs of other obligations. The Secretary of Ag-  
19 riculture shall not be responsible or liable for any contami-  
20 nation resulting from or related to conditions of the prop-  
21 erty existing prior to transfer of the property, including  
22 contamination arising from the operations of the Depart-  
23 ment of the Army and its contractors. Contamination shall  
24 include but not be limited to migration of hazardous sub-  
25 stances, pollutants, contaminants, or petroleum products

1 or their derivatives disposed during activities of the De-  
2 partment of the Army.

3 (4) The Secretary of Agriculture shall be responsible  
4 and liable only for and only to the extent of any other  
5 contamination affirmatively introduced into the environ-  
6 ment at the Arsenal by the Secretary of Agriculture or  
7 the Department of Agriculture. The Secretary of Agri-  
8 culture shall consult with the Secretary of the Army prior  
9 to undertaking any activities that may disturb the prop-  
10 erty to ensure that such activities will not exacerbate con-  
11 tamination problems or interfere with performance by the  
12 Secretary of the Army of response actions at the property.

13 (c) DEGREE OF CLEANUP.—Nothing in this Act shall  
14 be construed to restrict or lessen the degree of cleanup  
15 at the Arsenal required to be carried out under applicable  
16 law. All response actions and other actions required under  
17 any other statute to remediate petroleum products or their  
18 derivatives (including motor oil and aviation fuel) carried  
19 out at the Arsenal shall attain a degree of cleanup of haz-  
20 ardous substances, pollutants, contaminants, and petro-  
21 leum products or their derivatives that, at a minimum, is  
22 sufficient to fully meet the purposes set forth in section  
23 4(c) for which the MNP will be established.

24 (d) PAYMENT OF RESPONSE ACTION COSTS.—Any  
25 Federal department or agency that had or has operations

1 at the Arsenal resulting in the release or threatened re-  
2 lease of hazardous substances, pollutants, or contaminants  
3 shall pay the cost of related response actions or related  
4 actions under other statutes to remediate petroleum prod-  
5 ucts or their derivatives, including motor oil and aviation  
6 fuel.

7 (e) CONSULTATION.—In carrying out response ac-  
8 tions at the Arsenal, the Secretary of the Army shall con-  
9 sult with the Secretary of Agriculture to ensure that such  
10 actions are carried out in a manner consistent with sec-  
11 tions 4 (a), (b), and (d)–(i), and, to the extent practicable,  
12 consistent with the purposes set forth in section 4(c) for  
13 which the MNP will be established.

14 **SEC. 4. ESTABLISHMENT OF THE MIDEWIN NATIONAL**  
15 **TALLGRASS PRAIRIE.**

16 (a) ESTABLISHMENT.—On the effective date of the  
17 transfer of jurisdiction under section 2(c), there is thereby  
18 established the Midewin National Tallgrass Prairie con-  
19 sisting of the real property so transferred for administra-  
20 tion by the Secretary of Agriculture.

21 (b) ADMINISTRATION.—(1) The Secretary of Agri-  
22 culture shall manage the MNP as a part of the National  
23 Forest System in accordance with this Act and the laws,  
24 rules and regulations pertaining to the National Forests:

1 *Provided*, That the Bankhead-Jones Farm Tenant Act of  
2 1937 (7 U.S.C. 1010–1012) shall not apply to the MNP.

3 (2) Notwithstanding the provisions of section 7 of the  
4 Land and Water Conservation Fund Act of 1965 (16  
5 U.S.C. 4601–9), monies appropriated from the Land and  
6 Water Conservation Fund shall be available for acquisition  
7 of lands and interests therein for the MNP.

8 (3) In order to expedite the administration and public  
9 use of the MNP, the Secretary of Agriculture may conduct  
10 management activities at the MNP to effectuate the pur-  
11 poses for which the MNP is established, as set forth in  
12 subsection (c), in advance of the development of a land  
13 and resource management plan for the MNP.

14 (4) In developing a land and resource management  
15 plan for the MNP, the Secretary of Agriculture shall con-  
16 sult with the Illinois Department of Conservation and local  
17 governments adjacent to the MNP and provide an oppor-  
18 tunity for public comment. Any parcel transferred to the  
19 Secretary of Agriculture, pursuant to section 2(d) and  
20 subsequent to the development of a land and resource  
21 management plan for the MNP, may be managed in ac-  
22 cordance with such plan without need for an amendment  
23 thereto.

24 (c) PURPOSES OF THE MIDEWIN NATIONAL  
25 TALLGRASS PRAIRIE.—The MNP is established to be

1 managed for National Forest purposes, including the fol-  
2 lowing:

3 (1) To conserve and enhance populations and  
4 habitats of fish, wildlife, and plants, including popu-  
5 lations of grassland birds, raptors, passerines, and  
6 marsh and water birds.

7 (2) To restore and enhance, where practicable,  
8 habitat for species listed as proposed, threatened or  
9 endangered under the Endangered Species Act.

10 (3) To provide fish and wildlife oriented public  
11 uses at levels compatible with the conservation, en-  
12 hancement and restoration of native wildlife and  
13 plants and their habitats.

14 (4) To provide opportunities for scientific re-  
15 search.

16 (5) To provide opportunities for environmental  
17 and land use education.

18 (6) To manage the land and water resources of  
19 the MNP in a manner that will conserve and en-  
20 hance the natural diversity of native fish, wildlife,  
21 and plants.

22 (7) To conserve and enhance the quality of  
23 aquatic habitat.

1           (8) To provide for public recreation insofar as  
2           such recreation is compatible with the other pur-  
3           poses for which the MNP is established.

4           (d) PROHIBITION AGAINST THE CONSTRUCTION OF  
5 NEW THROUGH ROADS.—No new construction of any  
6 highway, public road, or any part of the interstate system,  
7 whether Federal, State, or local, shall be permitted  
8 through or across any portion of the MNP. Nothing herein  
9 shall preclude construction and maintenance of roads for  
10 use within the MNP, or the granting of authorizations for  
11 utility rights-of-way under applicable Federal law, or pre-  
12 clude such access as is necessary. Nothing herein shall  
13 preclude necessary access by the Secretary of the Army  
14 for purposes of restoration and cleanup as provided in this  
15 Act.

16           (e) AGRICULTURAL LEASES AND SPECIAL USE AU-  
17 THORIZATIONS.—Within the MNP, use of the lands for  
18 agricultural purposes shall be permitted subject to the fol-  
19 lowing terms and conditions:

20           (1) If at the time of transfer of jurisdiction  
21 pursuant to section 2 there exists any lease issued  
22 by the Department of the Army, Department of De-  
23 fense, or any other agency thereof, for agricultural  
24 purposes upon the parcel transferred, the Secretary  
25 of Agriculture, upon transfer of jurisdiction, shall

1 convert the lease to a special use authorization, the  
2 terms of which shall be identical in substance to the  
3 lease that existed prior to the transfer, including the  
4 expiration date and any payments owed the United  
5 States.

6 (2) The Secretary of Agriculture may issue spe-  
7 cial use authorizations to persons for use of the  
8 MNP for agricultural purposes. Such special use au-  
9 thorizations shall require payment of a rental fee, in  
10 advance, that is based on the fair market value of  
11 the use allowed. Fair market value shall be deter-  
12 mined by appraisal or a competitive bidding process.  
13 Special use authorizations issued pursuant to this  
14 paragraph shall include terms and conditions as the  
15 Secretary of Agriculture may deem appropriate.

16 (3) No agricultural special use authorization  
17 shall be issued for agricultural purposes which has  
18 a term extending beyond the date twenty years from  
19 the date of enactment of this Act: *Provided*, That  
20 nothing in this Act shall preclude the Secretary from  
21 issuing agricultural special use authorizations or  
22 grazing permits which are effective after twenty  
23 years from the date of enactment of this Act for  
24 purposes primarily related to erosion control, provi-  
25 sion for food and habitat for fish and wildlife, or

1 other resource management activities consistent with  
2 the purposes of this Act.

3 (f) FEES.—The Secretary is authorized to charge  
4 reasonable fees for the admission, occupancy and use of  
5 the MNP and may prescribe a fee schedule providing for  
6 reduced or a waiver of fees for persons or groups engaged  
7 in authorized activities including those providing volunteer  
8 services, research, or education: *Provided*, That the Sec-  
9 retary shall permit admission, occupancy and use at no  
10 additional charge for persons possessing a valid Golden  
11 Eagle Passport or Golden Age Passport.

12 (g) SALVAGE OF IMPROVEMENTS.—The Secretary of  
13 Agriculture may sell for salvage value any facilities and  
14 improvements which have been transferred to the Sec-  
15 retary of Agriculture pursuant to this Act.

16 (h) MIDEWIN NATIONAL TALLGRASS PRAIRIE RES-  
17 TORATION FUND.—Monies received pursuant to sub-  
18 section (e) shall be subject to distribution to the State of  
19 Illinois and affected counties pursuant to the Acts of May  
20 23, 1908 and March 1, 1911, as amended (16 U.S.C.  
21 500). All monies not so distributed pursuant to said Acts,  
22 and all other monies collected pursuant to subsections (f)  
23 and (g) of this section shall be covered into the Treasury  
24 and constitute a special fund to be known as the Midewin  
25 National Tallgrass Prairie Restoration Fund (“Fund”).

1 Deposits in this fund are appropriated and made available,  
2 without need for further appropriation, until expended, for  
3 use, with or without funds otherwise appropriated, for res-  
4 toration and administration of the MNP, including but not  
5 limited to: construction of a visitor and education center;  
6 restoration of ecosystems; construction of recreational fa-  
7 cilities such as trails; construction of administrative of-  
8 fices; and operation and maintenance.

9 (i) COOPERATION WITH STATES, LOCAL GOVERN-  
10 MENTS AND OTHER ENTITIES.—In the management of  
11 the MNP, the Secretary is authorized and encouraged to  
12 cooperate with appropriate Federal, State and local gov-  
13 ernmental agencies, private organizations and corpora-  
14 tions. Such cooperation may include cooperative agree-  
15 ments as well as the exercise of the existing authorities  
16 of the Secretary under the Cooperative Forestry Assist-  
17 ance Act of 1978, as amended, and the Forest and Range-  
18 land Renewable Resources Research Act of 1978, as  
19 amended. The objects of such cooperation may include  
20 public education, land and resource protection, and coop-  
21 erative management among government, corporate and  
22 private landowners in a manner which furthers the pur-  
23 poses of this Act. Activities conducted pursuant to this  
24 subsection shall be exempt from the requirements of the

1 Federal Advisory Committee Act (5 U.S.C. Appendix 2)  
2 and the rules and regulations promulgated thereunder.

3 **SEC. 5. DISPOSAL OF CERTAIN REAL PROPERTY AT THE**  
4 **ARSENAL FOR INDUSTRIAL DEVELOPMENT, A**  
5 **NATIONAL VETERANS CEMETERY, AND A**  
6 **COUNTY LANDFILL.**

7 (a) PROPERTY DESIGNATED FOR DISPOSAL UNDER  
8 THIS SECTION.—The following areas of real property at  
9 the Arsenal are designated for disposal under this section:

10 (1) An area of real property consisting of ap-  
11 proximately 1,900 acres located at the Arsenal, the  
12 approximate legal description of which includes part  
13 of section 30, Jackson Township, T34N R10E, and  
14 sections or part of sections 24, 25, 26, 35, and 36  
15 Channahon Township, T34N R9E, Will County, Illi-  
16 nois, as depicted in the Arsenal Land Use Concept  
17 to be conveyed to the Village of Elwood, Illinois for  
18 the purpose of an industrial park. Any funds re-  
19 ceived by the Village of Elwood from the sale or  
20 other transfer of this property, or portions thereof,  
21 less any costs expended for improvements thereon,  
22 shall be remitted to the Department of the Army.  
23 Any sale or transfer of this property by the Village  
24 of Elwood for the development of the industrial park  
25 shall be at fair market value, as determined in ac-

1 cordance with Federal appraisal standards and pro-  
2 cedures.

3 (2) An area of real property consisting of ap-  
4 proximately 1,100 acres, the approximate legal de-  
5 scription of which includes part of sections 16, 17,  
6 18 Florence Township, T33N R10E, Will County,  
7 Illinois, as depicted in the Arsenal Land Use Con-  
8 cept to be conveyed to the City of Wilmington, Illi-  
9 nois, for the purpose of an industrial park. Any  
10 funds received by the City of Wilmington from the  
11 sale or other transfer of this property, or portions  
12 thereof, less any costs expended for improvements  
13 thereon, shall be remitted to the Department of the  
14 Army. Any sale or transfer of this property by the  
15 City of Wilmington for the development of the indus-  
16 trial park shall be at fair market value, as deter-  
17 mined in accordance with Federal appraisal stand-  
18 ards and procedures.

19 (3) An area of real property consisting of ap-  
20 proximately 425 acres, the approximate legal de-  
21 scription of which includes part of sections 8 and 17,  
22 Florence Township, T33N R10E, Will County, Illi-  
23 nois, as depicted in the Arsenal Land Use Concept  
24 to be conveyed to the County of Will to be operated  
25 as a landfill by the County: *Provided*, That such ad-

1       ditional acreage shall be added to the landfill as is  
2       necessary to reasonably accommodate needs for the  
3       disposal of refuse and other materials from the res-  
4       toration and cleanup of only the Arsenal property as  
5       provided for in this Act: *Provided further*, That the  
6       use of this additional acreage by any agency of the  
7       Federal Government or its agents or assigns shall be  
8       at no cost to the Federal Government.

9               (4) An area of real property consisting of ap-  
10       proximately 910 acres, the approximate legal de-  
11       scription of which includes part of sections 30 and  
12       31 Jackson Township, T34N R10E, and including  
13       part of sections 25 an 36 Channahon Township,  
14       T34N R9E, Will County, Illinois, as depicted in the  
15       Arsenal Land Use Concept to be transferred to the  
16       Department of Veterans Affairs in accordance with  
17       all provisions of section 2337, Public Law 100-180.

18              (5) Pursuant to the requirements of subsection  
19       (b) and section 2(a), the Secretary of the Army shall  
20       transfer to the Administrator of the General Serv-  
21       ices Administration the following areas: Manufactur-  
22       ing Area—Study Area 1—Southern Ash Pile, Study  
23       Area 2—Explosive Burning Ground, Study Area 3—  
24       Flashing Grounds, Study Area 4—Lead Azide Area,  
25       Study Area 10—Toluene Tank Farms, Study Area

1 11—Landfill, Study Area 12—Sellite Manufacturing  
2 Area, Study Area 14—Former Pond Area, Study  
3 Area 15—Sewage Treatment Plant. Load Assemble  
4 Packing Area—Group 61: Study Area L1, Explosive  
5 Burning Ground: Study Area L2, Demolition Area:  
6 Study Area L3, Landfill Area: Study Area L4, Sal-  
7 vage Yard: Study Area L5, Group 1: Study Area  
8 L7, Group 2: Study Area L8, Group 3: Study Area  
9 L9, Group 3A: Study Area L10, Doyle Lake: Study  
10 Area L12, Group 68: Study Area L13, Group 4:  
11 Study Area L14, Group 5: Study Area L15, Group  
12 8: Study Area L18, Group 9: Study Area L19,  
13 Group 20, Study Area L20, Group 25: Study Area  
14 L22, Group 27: Study Area L23, Group 62: Study  
15 Area L25, Group 64: Study Area L27, Group 65:  
16 Study Area L28, Extraction Pits: Study Area L31,  
17 PVC Area: Study Area L33, Former Burning Area:  
18 Study Area L34, Fill Area: Study Area L35, includ-  
19 ing all associated inventoried buildings and struc-  
20 tures as identified in the Joliet Army Ammunition  
21 Plant Plantwide Building and Structures Report and  
22 the contaminate study sites for both the Manufac-  
23 turing and Load Assembly and Packing sides of the  
24 Joliet Arsenal as delineated in the Dames and  
25 Moore Final Report, Phase 2 Remedial Investigation

1 Manufacturing (MFG) Area Joliet Army Ammuni-  
2 tion Plant Joliet, Illinois (May 30, 1993. Contract  
3 No. DAAA15-90-D-0015 task order No. 6 pre-  
4 pared for: United States Army Environmental Cen-  
5 ter); and excepting the two industrial parks, national  
6 cemetery and landfill described in subsections (a)(1),  
7 (a)(2), (a)(3), and (a)(4).

8 (b) TRANSFER OF LANDS IN SUBSECTION (a)(5).—  
9 Within 6 months of satisfying all cleanup and other re-  
10 quirements contained in section 120(h) of the CERCLA  
11 and in accordance with the requirements of section 2(a),  
12 the Secretary of the Army shall offer the Secretary of Ag-  
13 riculture the option of accepting a transfer of the areas  
14 described in subsection (a)(5), without reimbursement, to  
15 be added to the MNP as described in section 4 and subject  
16 to the terms and conditions, including the limitations on  
17 liability, contained in this Act. In the event the Secretary  
18 of Agriculture declines such offer, the property shall be  
19 disposed of as surplus property under the provisions of  
20 the Federal Property and Administrative Services Act of  
21 1949 (40 U.S.C. 471 et seq.).

22 (c) ENVIRONMENTAL QUALITY OF THE PROPERTY.—  
23 (1) Nothing in this section shall be construed to restrict  
24 or lessen the degree of cleanup required to be carried out

1 under applicable law at the property designated for dis-  
2 posal under this section.

3 (2) The disposal of real property under this section  
4 shall be carried out in compliance with all the provisions  
5 of section 120(h) of the CERCLA and any other applica-  
6 ble law.

