

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WEBB & SONS, INC.,)
)
 Petitioner,)
)
 v.) PCB 17-065
) (UST Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

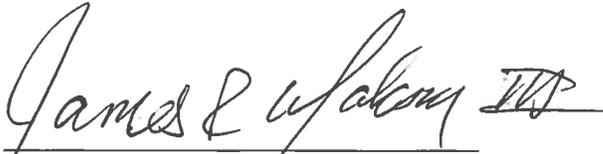
CERTIFICATE OF RECORD ON APPEAL

Pursuant to 35 Ill. Adm. Code 105.116(b) and 105.410, the following constitutes an index of documents comprising the record:

PAGES	DOCUMENT	DATE
001-019	MSA Corrective Action Plan Budget	08/23/2006
020-028	IEPA decision letter	09/12/2006
029-035	PCB Opinion And Order of The Board	05/03/2007
036-037	IEPA letter	05/31/2007
038-047	HDC letter	10/02/2007
048-051	IEPA decision letter	11/05/2007
052	IEPA request letter	04/19/2013
053-067	MSA High Priority Corrective Action Budget Amendment	08/20/2013
068-069	IEPA decision letter	08/28/2013
070-085	MSA High Priority Corrective Action Budget Amendment	10/04/2013
086-088	IEPA decision letter	10/24/2013
089-167	MSA High Priority Corrective Action Plan and Budget Amendment	02/14/2017
168-197	MSA/IEPA e-mails	02/21/2017
198	IEPA technical review notes	02/21/2017
199-203	IEPA decision letter	03/29/2017

I, JAMES R. MALCOM, III, certify on information and belief that the entire record of the Respondent's decision, as defined in 35 Ill. Adm. Code 105.410(b), is hereby enclosed.

BY:

A handwritten signature in black ink, reading "James R. Malcom, III". The signature is written in a cursive style and is positioned above a horizontal line.

James R. Malcom, III
Project Manager/Environmental Protection Specialist III
Leaking Underground Storage Tank Section
Illinois Environmental Protection Agency

Cap Budget received 8/23/2016 Approved 9/12/2016

IEMA No. 931126, 20021577

B. PROPOSED BUDGET SUMMARY AND BUDGET TOTAL

- 1. Investigation Costs: \$ 4,432.75
- 2. Analysis Costs: \$ 1,779.47
- 3. Personnel Costs: \$ 103,360.00
- 4. Equipment Costs: \$ 1,000.00
- 5. Field Purchases and Other Costs: \$ 133,425.67
- 6. Handling Charges: \$ 7,496.66

4329.97
11,062.00
132,827.87
cut all

TOTAL PROPOSED BUDGET = \$ 244,119.62

IEMA No. 931126, 20021577

E. INVESTIGATION COSTS

Method I _____ Method II _____ Method III _____ Not Applicable X

1. **Drilling Costs** - This includes the costs for drilling labor, drill rig usage, and other drilling equipment. Borings which are to be completed as monitoring wells should be listed here. Costs associated with disposal of cuttings should not be included here. An indication must be made as to why each boring is being conducted (i.e., classification, monitoring wells, migration pathways).

2 borings to 15 feet = 30 feet to be bored for monitoring wells

1 borings to 6 feet = 6 feet to be bored for TACO parameters

_____ borings to _____ feet = _____ feet to be bored for _____

_____ borings to _____ feet = _____ feet to be bored for _____

_____ borings to _____ feet = _____ feet to be bored for _____

Total Feet to be Bored: 36

Borings: _____ feet x \$ _____ per foot = \$ _____ (or)

Hours: _____ x \$ _____ per hour = \$ _____

_____ borings through _____ ft of bedrock = _____ Ft bedrock to be bored

_____ borings through _____ ft of bedrock = _____ Ft bedrock to be bored

Total Feet bedrock to be Bored: _____

Borings: _____ Ft bedrock x \$ _____ per ft bedrock = \$ _____ (or)

_____ Hours x \$ _____ per Hour = \$ _____

_____ # of Mobilizations @ \$ _____ per mobilization = \$ _____

Other Costs	Number of Units	Unit Cost	Total Cost
Drilling - Hollow Stem Auger (MW replacement)	1 LS	1,541.85/LS	1,541.85
Monitoring well installation	30 ft	16.96/ft	508.80
Drilling - direct push for TACO parameters	1 LS	1,200.00/LS	1,200.00

E-1

This form must be submitted in duplicate.

IEMA No. 931126, 20021577

2. **Professional Services (e.g., P.E., geologist)** - These costs must be listed in Section I, the Personnel section of the forms.
3. **Monitoring Well Installation Materials** - Costs listed here must be costs associated with well casing, well screens, filter pack, annular seal, surface seal, well covers, etc. List the items below in a time and materials format.

Material	Number of Units	Unit Cost	Total Cost

4. **Disposal Costs** - This includes the costs for disposing of boring cuttings and any water generated while performing borings or installing wells.

Disposal of Cuttings: 3 drums x \$ 256.98 per drum = \$ 770.94

Disposal of Water: 2 drums x \$ 205.58 per drum = \$ 411.16

Transportation Costs: \$ _____

Describe how the water/soil will be disposed: _____

Drums will be disposed at a certified waste facility

Total Investigation Costs: \$ 4,432.75

This form must be submitted in duplicate.

HEMA No. 931126, 20021577

F. ANALYSIS COSTS

1. **Physical Soil Analysis** - This must only include analysis costs for classification of soil types at the site.

1 Moisture Content samples x \$ 12.33 per sample = \$ 12.33

Soil Classification samples x \$ _____ per sample = \$ _____

Indicate method to be performed: _____

Soil Particle Size samples x \$ _____ per sample = \$ _____

Ex-situ Hydraulic Conductivity/Permeability samples
x \$ _____ per sample = \$ _____

Indicate the method to be performed: _____

Rock Hydraulic Conductivity/Permeability samples
x \$ _____ per sample = \$ _____

Natural Organic Carbon Fraction (foc) samples
x \$ _____ per sample = \$ _____

Indicate the ASTM or SW-846 method to be performed: _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

2. **Soil Analysis Costs** - This must be for laboratory analysis only.

21 BTEX samples x \$ 54.12 per sample = \$ 1,136.52

PNA samples x \$ _____ per sample = \$ _____

LUST Pollutants samples x \$ _____ per sample = \$ _____

IEMA No. 931126, 20021577

_____ pH Samples x \$ _____ per sample = \$ _____

1 Paint Filter samples x \$ 14.39 per sample = \$ 14.39

1 TCLP Lead samples x \$ 97.65 per sample = \$ 97.65 (includes TCLP prep for metals)

1 Flash Point samples x \$ 33.92 per sample = \$ 33.92

_____ Lab and/or Field Bank samples x \$ _____ per sample = \$ _____

1 Bulk Density samples x \$ 22.61 per sample = \$ 22.61

1 Particle Density samples x \$ 74.00 per sample = \$ 74.00

1 Organic Carbon Content samples x \$ 23.00 per sample = \$ 23.00

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

3. Groundwater Analysis Costs - This must be for laboratory analysis only.

7 BTEX samples x \$ 52.15 per sample = \$ 365.05

_____ PNA samples x \$ _____ per sample = \$ _____

_____ LUST Pollutants samples x \$ _____ per sample = \$ _____

_____ pH Samples x \$ _____ per sample = \$ _____

_____ Lab and/or Field Bank samples x \$ _____ per sample = \$ _____

_____ Flash Point samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

_____ samples x \$ _____ per sample = \$ _____

TOTAL ANALYSIS COSTS = \$ 1,779.47

IEMA No. 931126, 20021577**G. PERSONNEL**

All personnel costs that are not included elsewhere in the budget/billing form must be listed here. Costs must be listed per task, not personnel type. The following are some examples of tasks: Drafting, data collection, plan, report, or budget preparation for _____ (i.e., site classification work plan, 45 day report, or high priority corrective action budget), sampling, field oversight for _____ (i.e., drilling/well installation, corrective action, or early action), or maintenance of _____. The above list is not inclusive of all possible tasks.

High Priority Investigation and Preliminary Costs

Senior Project Manager : 453 hours x \$ 98.00 per hour = \$ 44,394.00
(Title)

Task to be performed for the above hours: Project review, oversight and supervision; project development; two LUST project appeals; subcontractor quotes and availability, Corrective Action planning

Professional Engineer : 84.00 hours x \$ 87.00 per hour = \$ 7,308.00
(Title)

Task to be performed for the above hours: Corrective Action planning; two LUST project appeals; development of high priority plans; CAP and budget preparation; client meetings; IEPA liaison; budget review and certification

Engineer III : 68.00 hours x \$ 77.00 per hour = \$ 5,236.00
(Title)

Task to be performed for the above hours: Corrective Action planning; two LUST project appeals; development of CAP and budget; TACO Tier II calculations and analysis; site contaminant assessment and delineation

Senior Scientist : 150.00 hours x \$ 83.00 per hour = \$ 12,450.00
(Title)

Task to be performed for the above hours: Corrective Action Plan preparation, TACO Tier II analysis, budget preparation, ELUC and Highway Authority Agreements (HAAs) assessment, development of remediation objectives, RBCA modeling, development of corrective action measures

Scientist III : 102.00 hours x \$ 67.00 per hour = \$ 6,834.00
(Title)

Task to be performed for the above hours: Reporting and field work related to corrective action

Scientist I : 21.00 hours x \$ 55.00 per hour = \$ 1,155.00
(Title)

Task to be performed for the above hours: Reporting and field work related to corrective action

G-1

This form must be submitted in duplicate.

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Draftsperson : 6.00 hours x \$ 50.00 per hour = \$ 300.00
(Title)

Task to be performed for the above hours: Development of site plans

Technician I : 9.50 hours x \$ 40.00 per hour = \$ 380.00
(Title)

Task to be performed for the above hours: Field work related to measurements and data collection for CA

CAP Implementation (dig and haul)

Senior Project Manager : 8 hours x \$ 100.00 per hour = \$ 800.00
(Title)

Task to be performed for the above hours: Excavation and backfill coordination and planning; scheduling

Professional Engineer : 4 hours x \$ 100.00 per hour = \$ 400.00
(Title)

Task to be performed for the above hours: Excavation and backfill coordination and management

Senior Scientist : 16 hours x \$ 87.00 per hour = \$ 1,392.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, manifesting, soil sampling

Scientist III : 30 hours x \$ 71.00 per hour = \$ 2,130.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, soil sampling

Technician I : 70 hours x \$ 45.00 per hour = \$ 3,150.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, soil sampling and shipping.

Additional Well Monitoring/Well Replacement/TACO sample collection

Senior Scientist : 8 hours x \$ 87.00 per hour = \$ 696.00
(Title)

Task to be performed for the above hours: coordination, planning, supervision of field work

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Scientist III : 42 hours x \$ 71.00 per hour = \$ 2,982.00
(Title)

Task to be performed for the above hours: monitoring well sampling, well replacement, development, survey abandonment coordination

Environmental Technician I : 42 hours x \$ 45.00 per hour = \$ 1,890.00
(Title)

Task to be performed for the above hours: monitoring well sampling, well replacement, development, survey

CACR Report/HAA/Reimbursements

Senior Project Manager : 8 hours x \$ 100.00 per hour = \$ 800.00
(Title)

Task to be performed for the above hours: CACR preparation and review, ELUC and HAA preparation, reimbursement preparation

Professional Engineer : 32 hours x \$ 100.00 per hour = \$ 3,200.00
(Title)

Task to be performed for the above hours: CACR preparation; reporting; project design and development; final Tier II TACO risk assessment and review; HAA preparation; P.E. review and completion and certification of CACR and two corrective action reimbursement submittals; design and oversight

Senior Scientist : 92 hours x \$ 87.00 per hour = \$ 8,004.00
(Title)

Task to be performed for the above hours: Draft and submit HAA; submit to client for review and signatures; IEPA/IDOT/client liaison; Final TACO Tier II assessment and modeling; preparation and submittal of CACR; IEPA/client liaison; client meetings for final report, Preparation of two corrective action reimbursement submittals

Scientist III : 16 hours x \$ 71.00 per hour = \$ 1,136.00
(Title)

Task to be performed for the above hours: Filing of NFR letter, coordination and decommissioning of the Site's seven (7) groundwater monitoring wells

TOTAL PERSONNEL COSTS: \$ 104,637.00

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I. FIELD PURCHASES AND OTHER COSTS

All field purchases must be listed below in a time and materials format. **Handling charges must not be added here; use Section J, Handling Charges to calculate the handling charges.**

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Other Costs - A listing and description of all other costs which will be/were incurred and are not specifically listed on this form should be attached. The listing should include a cost breakdown in a time and materials format.

Other Costs	Quantity	Price/Item	Total Cost	Do Handling Charges Apply?
Environmental Support Vehicle	12 trips	50/trip	600.00	No
Mileage	1,260 mi	0.445/mi	560.70	No
Bailers	7	12/each	84.00	No
Prints	30	2.00/each	60.00	No
Plastic	40 rolls	75/roll	3,000.00	No
Terra core samplers	21	3.00/each	63.00	No
Soil excavation, transportation and disposal	1308 yd ³	58.59/yd ³	76,635.72	Yes
Backfill	1308 yd ³	20.56/yd ³	26,892.48	Yes
Contaminated water disposal	5,000 gal	0.70/gal	3,500.00	Yes
Fencing/Signs	7	100/day	700.00	No
Asphalt replacement (6")	5,371 ft ²	3.17/ft ²	17,026.07	Yes
Subtotal Page I-2: <u>\$129,127.97</u>				

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Engineered Barrier (4")	244 ft ²	2.45/ft ²	597.80	Yes
Murle Roy – Completion of EA/CA excavation activities (4/03)	1	1,192.50/LS	1,192.50	Yes
Anderson Electric – Completion of EA/CA excavation activities (4/03)	1	1,027.00/LS	1,027.00	Yes
Certified Mail – reporting	1	100.00/LS	100.00	No
Shipping – lab samples	5	51.40/each	257.00	No
NFR Recording Fees	1	50.00/LS	50.00	No
Well abandonment (seven 15' wells)	105 ft.	10.28/ft.	1,079.40	No

Subtotal Page I-2 <u>\$4,303.70</u>
Total Pages I-1 and I-2 <u>\$133,425.67</u>

TOTAL OTHER COSTS = \$ 133,425.67

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J. HANDLING CHARGES

Handling charges are eligible for payment on subcontractor billings and/or field purchases only if they are equal to or less than the amounts determined by the following table:

<p>Subcontractor or Field Purchase Cost</p> <p>\$1 - \$5,000</p> <p>\$5,001 - \$15,000</p> <p>\$15,001 - \$50,000</p> <p>\$50,001 - \$100,000</p> <p>\$100,001 - \$1,000,000</p>	<p>Eligible Handling Charges as a Percentage of Cost</p> <p>12%</p> <p>\$600 + 10% of amt. Over \$5,000</p> <p>\$1,600 + 8% of amt. Over \$15,000</p> <p>\$4,400 + 5% of amt. Over \$50,000</p> <p>\$6,900 + 2% of amt. Over \$100,000</p>
--	--

A. Subcontractor Charges

Subcontractor	Section in these Forms where Cost is Listed	Subcontract Amount
Mosner Environmental	Investigation	1,182.10
Test America Analytical	Analysis	1,779.47
Excavator/Transporter/Disposal	Other	76,635.72
Excavation Backfill	Other	26,892.48
Contaminated Water Disposal Services	Other	3,500.00
Asphalt/Engineered Barrier Installation	Other	17,623.87
Murle Roy	Other	1,192.50
Anderson Electric	Other	1,027.00
Subtotal Page J-1:		<u>\$129,833.14</u>

IEMA No. 931126, 20021577

L. HIGH PRIORITY CORRECTIVE ACTION

Corrective Action at High Priority Sites may involved both soil and groundwater remediation. Below provide a summary of costs for the remediation type(s) chosen and attach the appropriate sections of the budget/billing forms to support the summary of costs.

A. Preparation of the Correction Action Plan

1. Investigation Costs: \$ 1,200.00
2. Analysis Costs: \$ 131.94
3. Personnel Costs: \$ 76,780.00
4. Equipment Costs: \$ 50.00
5. Field Purchases and Other Costs: \$ 223.45
6. Handling Charges: \$ 2.64

B. Groundwater Remediation

- 1 Analysis Costs: \$ _____
- 2 Personnel Costs: \$ _____
- 3 Equipment Costs: \$ _____
- 4 Field Purchases and Other Costs: \$ _____
- 5 Handling Charges: \$ _____

Of the above costs, please provide a break down of the costs associated with operation and maintenance (O&M), if applicable, as requested below:

_____ Months of O&M x \$ _____ per month = \$ _____

C. Excavation and Disposal

- 1 Analysis Costs: \$ 1,282.48
- 2 Personnel Costs: \$ 5,474.00
- 3 Equipment Costs: \$ 600.00
- 4 Field Purchases and Other Costs: \$ 83,985.62
- 5 Handling Charges: \$ 5605.43

Of the above costs, please provide a break down of the costs associated with excavation transportation, and disposal as requested below:

Excavation: 1308 yards³ x \$ 58.59 per yards³ = \$ 76,635.72
 Transportation: ** yards³ x \$ _____ per yards³ = \$ _____
 Disposal: ** yards³ x \$ _____ per yards³ = \$ _____

** Included in Excavation cost.

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

I hereby certify that I intend to seek payment from the UST Fund for costs incurred while performing corrective action activities for Leaking UST incident 931126/20021577. I further certify that the costs set forth in this budget are necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57, no costs are included in this budget that are not described in the corrective action plan, and no costs exceed Subpart H: Maximum Payment Amounts, Appendix D Sample Handling and Analysis amounts, and Appendix E Personnel Titles and Rates of 35 Ill. Adm. Code 732 or 734. I further certify that costs ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606 or 734.630 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

- Costs associated with ineligible tanks.
- Costs associated with site restoration (e.g., pump islands, canopies).
- Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).
- Costs incurred prior to IEMA notification.
- Costs associated with planned tank pulls.
- Legal fees or costs.
- Costs incurred prior to July 28, 1989.
- Costs associated with installation of new USTs or the repair of existing USTs.

RECEIVED
AUG 23 2006
IEPA/DOJ

Owner/Operator: Ms. Doris Webb *Doris Webb*

Authorized Representative: _____ Title: _____

Signature: *Doris Webb* Date: 8-17-06

Subscribed and sworn to before me the 17th day of August 2006

Eileen Marie Johnson
(Notary Public) Seal:



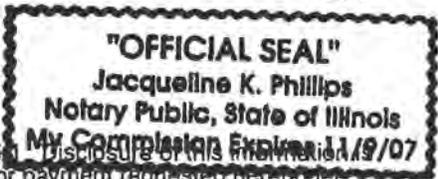
In addition, I certify under penalty of law that all activities that are the subject of this plan, budget, or report were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan, budget, or report and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the plan, budget, or report has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

L.P.E./L.P.G.: Kevin R. Saylor L.P.E./L.P.G. Seal:

L.P.E./L.P.G. Signature: *Kevin Saylor* Date: 8/10/06

Subscribed and sworn to before me the 10th day of August 2006

Jacqueline K. Phillips
(Notary Public) Seal:



The Illinois EPA is authorized to require this information under 415 ILCS 5/11. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder.



Office of the Illinois
State Fire Marshal

Survival Office
217-785-0950
FAX

217-782-1082
Divisions

ARSON INVESTIGATION
217-782-0116

BOILER and PRESSURE
VESSEL SAFETY

217-782-2000

FIRE PREVENTION

217-785-4714

MANAGEMENT SERVICES

217-782-0000

INFIRS

217-785-0820

HUMAN RESOURCES

217-785-1020

PERSONNEL STANDARDS

and EDUCATION

217-782-4542

PETROLEUM and

CHEMICAL SAFETY

217-785-5578

PUBLIC INFORMATION

217-785-1021

WEB SITE

www.state.il.us/mofm

CERTIFIED MAIL - RECEIPT REQUESTED #7002 1000 0004 8741 6800

CORRECTED

July 12, 2002

Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, IL 61938

In Re:

Facility No. 4-028243
IEMA Incident No. 93-1126
Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, Coles Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on June 12, 2002 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

It has been determined that you are eligible to seek payment of costs in excess of \$15,000. The costs must be in response to the occurrence referenced above and associated with the following tanks:

Eligible Tanks

Tank 1 10,000-gallon Diesel
Tank 2 5,000-gallon Kerosene
Tank 3 2,000-gallon Heating Oil
Tank 4 2,000-gallon Diesel
Tank 5 4,000-gallon Diesel
Tank 6 1,000-gallon Diesel

You must contact the Illinois Environmental Protection Agency to receive a packet of Agency billing forms for submitting your request for payment.

An owner or operator is eligible to access the Underground Storage Tank Fund if the eligibility requirements are satisfied:

1. Neither the owner nor the operator is the United States Government,
2. The tank does not contain fuel that is exempt from the Motor Fuel Tax Law,
3. The costs were incurred as a result of a confirmed release of any of the following substances:

"Fuel", as defined in Section 1.19 of the Motor Fuel Tax Law

Aviation fuel

1035 Stevenson Drive • Springfield, Illinois 62703-4259

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7004 2510 0001 8587 3834

SEP 1 2 2006

Doris Webb
8687 East 150 North
Lerna, Illinois 62240

Re: LPC# 0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No. 20021577 & 931126
LUST Technical File

Dear Mr. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan (plan) submitted for the above-referenced incident. This plan, dated August 18, 2006, was received by the Illinois EPA on August 23, 2006. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Illinois EPA requires modification of the plan; therefore, the plan is conditionally approved with the Illinois EPA's modifications. The following modifications are necessary, in addition to those provisions already outlined in the plan, to demonstrate compliance with Title XVI of the Act (Sections 57.7(b)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(a)):

1. Bases on the use of the Tier II inhalation remediation objective obtained for benzene and use of the on-site groundwater use restriction, the need for the engineered barrier over soil sample W3 is not required. The proposed budget will also reflect this plan amendment.

Please note that all activities associated with the remediation of this release proposed in the plan must be executed in accordance with all applicable regulatory and statutory requirements, including compliance with the proper permits.

RELEASABLE

SEP 1 9 2006

REVIEWER MM

Page 2

In addition, the budget is modified pursuant to Sections 57.7(b)(3) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(b). Based on the modifications listed in Section 2 of Attachment A, the amounts listed in Section 1 of Attachment A have been approved. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of payment from the Fund may be limited by Sections 57.8(d), 57.8(e), and 57.8(g) of the Act, as well as 35 Ill. Adm. Code 734.630 and 734.655.

If the owner or operator agrees with the Illinois EPA's modifications, submittal of an amended plan is not required (Section 57.7(c) of the Act).

Further, pursuant to 35 Ill. Adm. Code 734.145, it is required that the Illinois EPA be notified of field activities prior to the date the field activities take place. This notice must include a description of the field activities to be conducted; the name of the person conducting the activities; and the date, time, and place the activities will be conducted. This notification of field activities may be done by telephone, facsimile, or electronic mail.

Pursuant to Sections 57.7(b)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.100 and 734.125, the Illinois EPA requires that a Corrective Action Completion Report that achieves compliance with applicable remediation objectives be submitted within 30 days after completion of the plan to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

Please note that, if within four years after the approval of this plan, compliance with the applicable remediation objectives has not been achieved and a Corrective Action Completion Report has not been submitted, the Illinois EPA requires the submission of a status report pursuant to Section 57.7(b)(6) of the Act.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

MM 93WB1EF

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If you have any questions or need further assistance, please contact James R. Malcom, III at 217/524-9140.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC: JRM

Attachment: Budget Modifications

cc: HDC
BOL File

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

Attachment A

Re: LPC # 0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 931126 & 20021577
Leaking UST Technical File

SECTION 1

As a result of the Illinois EPA's modification(s) in Section 2 of this attachment, the following amounts are approved:

\$4,329.97	Investigation Costs
\$1,779.47	Analysis Costs
\$0.00	Personnel Costs
\$1,000.00	Equipment Costs
\$132,827.87	Field Purchases and Other Costs

Handling charges will be determined at the time a billing package is reviewed by the Illinois EPA. The amount of allowable handling charges will be determined in accordance with Section 57.8(f) of the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code) 732.607.

SECTION 2

1. \$102.78 for costs that exceed the set amount under sub part "H" in accordance with this 3Ill. Adm. Code 734. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606(hh).

The proposed costs for water disposal was deemed unreasonable with \$102.78 deducted from the investigative portion of the budget.

2. \$597.80 for cost that exceed the requirements to comply with the Act. Such costs are ineligible for payment from the Fund pursuant to 35 ILL Adm. Code 732.606(o).

Based on the Agency decision that the proposed engineered barrier was not required the costs for the 4 inch asphalt was deducted from the budget.

3. \$103,360.00 for personnel costs deemed unreasonable. Such costs are ineligible for payment from the Fund pursuant to 35 ILL Adm. Code 732.606 (hh). The Agency is requesting an hourly breakdown of each task performed by each job title in order to make a more thorough review of the proposed personnel costs.

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7004 2510 0001 8587 3834

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Return Receipt Fee (Endorsement Required) _____
 Restricted Delivery Fee (Endorsement Required) _____

Postmark: SEP 12 2006
 Springfield, IL 62703 MO
 USPS

Doris Webb
 8687 East 150 North
 Lerna, IL 62240

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature x <u>Doris Webb</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Doris Webb</u></p> <p>C. Date of Delivery <u>9-13-06</u></p> <p>D. Is the delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Doris Webb 8687 East 150 North Lerna, IL 62240</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) <u>7004 2510 0001 8587 3834</u></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

IEMA No. 931126, 20021577**G. PERSONNEL**

All personnel costs that are not included elsewhere in the budget/billing form must be listed here. Costs must be listed per task, not personnel type. The following are some examples of tasks: Drafting, data collection, plan, report, or budget preparation for _____ (i.e., site classification work plan, 45 day report, or high priority corrective action budget), sampling, field oversight for _____ (i.e., drilling/well installation, corrective action, or early action), or maintenance of _____. The above list is not inclusive of all possible tasks.

High Priority Investigation and Preliminary Costs

Senior Project Manager : 453 hours x \$ 98.00 per hour = \$ 44,394.00
(Title)

Task to be performed for the above hours: Project review, oversight and supervision; project development; two LUST project appeals; subcontractor quotes and availability; Corrective Action planning

Professional Engineer : 84.00 hours x \$ 87.00 per hour = \$ 7,308.00
(Title)

Task to be performed for the above hours: Corrective Action planning; two LUST project appeals; development of high priority plans; CAP and budget preparation; client meetings; IEPA liaison; budget review and certification

Engineer III : 68.00 hours x \$ 77.00 per hour = \$ 5,236.00
(Title)

Task to be performed for the above hours: Corrective Action planning; two LUST project appeals; development of CAP and budget; TACO Tier II calculations and analysis; site contaminant assessment and delineation

Senior Scientist : 150.00 hours x \$ 83.00 per hour = \$ 12,450.00
(Title)

Task to be performed for the above hours: Corrective Action Plan preparation, TACO Tier II analysis, budget preparation, ELUC and Highway Authority Agreements (HAAAs) assessment, development of remediation objectives, RBCA modeling, development of corrective action measures

Scientist III : 102.00 hours x \$ 67.00 per hour = \$ 6,834.00
(Title)

Task to be performed for the above hours: Reporting and field work related to corrective action

Scientist I : 21.00 hours x \$ 55.00 per hour = \$ 1,155.00
(Title)

Task to be performed for the above hours: Reporting and field work related to corrective action

G-1

This form must be submitted in duplicate.

IEMA No. 931126.20021577

Draftsperson : 6.00 hours x \$ 50.00 per hour = \$ 300.00
(Title)

Task to be performed for the above hours: Development of site plans

Technician I : 9.50 hours x \$ 40.00 per hour = \$ 380.00
(Title)

Task to be performed for the above hours: Field work related to measurements and data collection for CA

CAP Implementation (dig and haul)

Senior Project Manager : 8 hours x \$ 100.00 per hour = \$ 800.00
(Title)

Task to be performed for the above hours: Excavation and backfill coordination and planning; scheduling

Professional Engineer : 4 hours x \$ 100.00 per hour = \$ 400.00
(Title)

Task to be performed for the above hours: Excavation and backfill coordination and management

Senior Scientist : 16 hours x \$ 87.00 per hour = \$ 1,392.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, manifestine, soil sampling

Scientist III : 30 hours x \$ 71.00 per hour = \$ 2,130.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, soil sampling

Technician I : 70 hours x \$ 45.00 per hour = \$ 3,150.00
(Title)

Task to be performed for the above hours: Excavation and backfill supervision, soil sampling and shipping.

Additional Well Monitoring/Well Replacement/TACO sample collection

Senior Scientist : 8 hours x \$ 87.00 per hour = \$ 696.00
(Title)

Task to be performed for the above hours: coordination, planning, supervision of field work

G-2

This form must be submitted in duplicate.

IEMA No. 931126.20021577

Scientist III : 42 hours x \$ 71.00 per hour = \$ 2,982.00
(Title)

Task to be performed for the above hours: monitoring well sampling, well replacement, development, survey abandonment coordination

Environmental Technician I : 42 hours x \$ 45.00 per hour = \$ 1,890.00
(Title)

Task to be performed for the above hours: monitoring well sampling, well replacement, development, survey

CACR Report/HAA/Reimbursements

Senior Project Manager : 8 hours x \$ 100.00 per hour = \$ 800.00
(Title)

Task to be performed for the above hours: CACR preparation and review, ELUC and HAA preparation, reimbursement preparation

Professional Engineer : 32 hours x \$ 100.00 per hour = \$ 3,200.00
(Title)

Task to be performed for the above hours: CACR preparation; reporting; project design and development; final Tier II TACO risk assessment and review; HAA preparation; P.E. review and completion and certification of CACR and two corrective action reimbursement submittals; design and oversight

Senior Scientist : 92 hours x \$ 87.00 per hour = \$ 8,004.00
(Title)

Task to be performed for the above hours: Draft and submit HAA; submit to client for review and signatures; IEPA/IDOT/client liaison; Final TACO Tier II assessment and modeling; preparation and submittal of CACR; IEPA/client liaison; client meetings for final report, Preparation of two corrective action reimbursement submittals

Scientist III : 16 hours x \$ 71.00 per hour = \$ 1,136.00
(Title)

Task to be performed for the above hours: Filing of NFR letter, coordination and decommissioning of the Site's seven (7) groundwater monitoring wells

TOTAL PERSONNEL COSTS: \$ 104,637.00

*46,563
Total Personnel
Cost
Approved.*

G-3

This form must be submitted in duplicate.

029 025 5099- COLES CO.
WEBB + SONS
COMPLIANCE

20021577
9311 26

ILLINOIS POLLUTION CONTROL BOARD
May 3, 2007

RECEIVED
Division of Legal Counsel

MAY 09 2007
Environmental Protection
Agency

WEBB & SONS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 07-24
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

OPINION AND ORDER OF THE BOARD (by A.S. Moore):

In an interim opinion and order dated February 15, 2007, the Board partially affirmed and partially reversed a determination of the Illinois Environmental Protection Agency (Agency) to modify a budget proposed by Webb & Sons, Inc. (Webb) for the high priority corrective action plan (CAP) for a leaking underground storage tank (UST) site at 1201 DeWitt Avenue, Mattoon, Coles County. Also in that interim opinion and order, the Board reserved ruling on Webb's request for reimbursement of fees.

For the reasons described below, the Board directs the Agency to reimburse Webb from the UST Fund for attorney fees in the amount of \$3,569.63, an amount equal to 45 percent of the legal fees claimed by Webb.

PROCEDURAL HISTORY

On October 13, 2006, the Board received from Webb a petition seeking the Board's review of a September 12, 2006 determination of the Agency. In an order dated November 2, 2006, the Board accepted Webb's petition for hearing. The Agency filed the administrative record on November 28, 2006.

The Board conducted a hearing on December 11, 2006. Mr. Kevin Saylor and Mr. James Malcom testified for Webb. At hearing, Webb filed eight exhibits, each of which was admitted. Transcript at 63-67. Webb filed a post-hearing brief (Webb Br.) on December 29, 2006, and the Agency filed a post-hearing brief on January 12, 2007.

On December 13, 2006, Webb filed a motion to incorporate documents by reference. Accompanying the motion were the documents that Webb sought to incorporate into the record of this proceeding.

In an interim opinion and order dated February 15, 2007, the Board affirmed the Agency's rejection of Webb's proposed budget for personnel for the job titles of senior project manager, professional engineer, and engineer III under the category of High Priority

RELEASABLE

MAY 31 2007

REVIEWER MD PCB No. 17-065 R. 029

Investigation and Preliminary Costs and the job title of scientist III under the category of Corrective Action Completion Report (CACR)/Highway Authority Agreements (HAA)/Reimbursements. The Board also affirmed the Agency's modifications to Webb's budget for Investigation Costs, Field Purchases and Other Costs, and Handling Charges, which Webb did not appeal. The Board reversed the Agency's rejection of Webb's proposed budget for the 16 remaining job titles in Webb's personnel budget.

The interim opinion and order noted that Webb requested that the Board award it engineer's fees, attorney's fees, and expenses. The Board noted that the record did not include the amount of any legal fees or costs incurred by Webb in this proceeding. The Board directed Webb to file on or before March 8, 2007, a statement of its legal fees and costs that may be eligible for reimbursement and its argument why the Board could exercise its discretion to direct the Agency to reimburse from the UST Fund those costs relating to this docket. The Board allowed the Agency to respond to Webb's statement and arguments by filing a response with the Board on or before March 29, 2007. The interim opinion and order also granted Webb's motion to incorporate specified documents by reference into the record of this proceeding.

On March 8, 2007, Webb timely filed its petitioner's supplemental brief in support of reimbursement of petitioner's legal fees (Pet. Br.). On March 29, 2007, the Agency timely filed its response to petitioner's supplemental brief in support of reimbursement of petitioner's legal fees (Agency Br.).

WEBB'S BRIEF IN SUPPORT OF REIMBURSEMENT OF LEGAL FEES

Webb argues that both the Act and the Board's UST regulations allow the payment of legal fees if the UST owner prevails before the Board and the Board authorizes payment. Pet. Br. at 4, citing 415 ILCS 5/57.8(l) (2004), 35 Ill. Adm. Code 732.606(g); *see also* 35 Ill. Adm. Code 734.630(g). Webb further argues that the Board has previously decided that "a petitioner can recover attorney's fees as a result of prevailing in the appeal of a rejection of a Corrective Action Plan and/or Budget by the Agency." Pet. Br. at 4, citing Swif-T Food Mart v. IEPA, PCB 03-214, slip op. at 2-3 (Aug. 19, 2004), Illinois Ayers Oil Co. v. IEPA, PCB 03-185, slip op. at 8-9 (Aug. 5, 2004).

Webb claims that it "did prevail before the Board in significant part" because the Board reversed the Agency's denial of \$46,563 in personnel costs for sixteen job titles. Pet. Br. at 4. Webb acknowledges that its budget proposal contained "insufficient information" to determine whether costs proposed for three other positions were reasonable. *Id.* at 5; *see* Webb Br. at 12.

Webb claims that "[w]here a plaintiff's claims of relief involve a common core of facts or are based on related legal theories, such that much of his attorney's time is devoted generally to the litigation as a whole, a fee award should not be reduced simply because all requested relief was not obtained." Pet. Br. at 5, citing Becovic v. City of Chicago, 296 Ill. App. 3d 236, 242, 694 N.E.2d 1044, 1048 (1st Dist. 1998). Webb claims that its appeal involves a common core of facts and legal theory: the Agency's experienced UST project managers "have a very good understanding as to what is an appropriate range for each and every personnel cost that comprises a Corrective Action Plan Budget." Pet. Br. at 5. Webb suggests that the Board has

accepted this legal theory by reversing the Agency's rejection of sixteen job titles in Webb's personnel budget. *Id.* Webb acknowledges that its budget proposal contained insufficient information for three job titles and that the Board affirmed the Agency's rejection of the proposed budget for them, but Webb claims that this "does not affect the amount of attorney's fees that should be awarded to Petitioner." *Id.* at 6.

With its brief, Webb filed the affidavit of its counsel, including an exhibit "specifying the legal services provided by description, hour, and hourly rate, all of which counsel for Petitioner believes to be reasonable." Pet. Br. at 6. On the basis of that information, Webb requests reimbursement of \$7,932.50 in legal fees. *Id.* at 7.

Webb notes that its original petition for review also sought reimbursement of engineer's fees incurred in this appeal. Pet. Br. at 6, citing 35 Ill. Adm. Code 732.605(a)(15). Webb filed the affidavit of the senior project manager for the remediation of its site, including an exhibit specifying the engineer's fees incurred in the course of this budget appeal. On the basis of that information, Webb seeks reimbursement of \$3,687.50 in engineer's fees. Pet. Br. at 7.

AGENCY RESPONSE TO WEBB'S BRIEF IN SUPPORT OF REIMBURSEMENT OF LEGAL FEES

The Agency acknowledges that the Act allows the Board to authorize payment of legal fees to a UST owner that prevails before the Board in seeking payment through the UST program. Agency Br. at 2, citing 415 ILCS 5/57.8(l) (2004). The Agency characterizes this provision as a "fee-shifting" statute. Agency Br. at 2, citing Illinois Ayers, PCB 03-214, slip op. at 8 (Aug. 5, 2004). The Agency argues that "[s]uch statutes must be strictly construed since they are in derogation of common law." Agency Br. at 2, citing Globalcom, Inc. v. Illinois Commerce Comm'n., 347 Ill. App. 3d 592, 618, 806 N.E.2d 1194, 1214 (1st Dist. 2004), Miller v. PCB, 267 Ill. App. 3d 160, 171, 642 N.E.2d 475, 485 (4th Dist. 1994).

The Agency claims that "[t]he Board has broad discretionary powers concerning the amount of fees to be awarded." Agency Br. at 2, citing Swif-T, PCB 03-185, slip op. at 3 (Aug. 19, 2004). The Agency further claims that "Illinois courts have recognized the general principle that a party is not entitled to fees on unsuccessful claims." Agency Br. at 2, citing Globalcom, 347 Ill. App. 3d at 618, 806 N.E.2d at 1214. The Agency argues that, "when courts can identify and separate claims, fees are awarded only on the successful claims for which fees are allowed." Agency Br. at 2, citing Franz v. Calaco Development Corp., 352 Ill. App. 3d 1129, 1151-52, 818 N.E. 2d 357, 377-78 (2nd Dist. 2004).

The Agency states that "[t]he level of success achieved by Webb in the instant appeal is not difficult to measure." Agency Br. at 3. After noting that the Board had affirmed it with regard to four job titles accounting for 55% of the total personnel hours requested, the Agency states that "Webb prevailed on the remaining job titles that represent 45% of the total personnel costs sought." *Id.*

The Agency distinguishes this case from three previous cases in which the Board awarded all of the attorney fees requested in a UST appeal: Swif-T, Illinois Ayers, and Ted

Harrison Oil Co. v. IEPA, PCB 99-127 (Oct. 16, 2003). The Agency states that “[in] Ted Harrison and Swif-T, the petitioner prevailed on all of the dollar amounts at issue in the appeal.” Agency Br. at 3. In Illinois Ayers, the Board found that Ayers had prevailed “in significant part” after restoring budget reductions of \$29,603.19 and affirming reductions of \$690.00. Agency Br. at 3, citing Illinois Ayers Oil Co., slip op. at 8 (Aug. 5, 2004). Suggesting that Webb has not prevailed to the same extent as petitioners in these three cases, the Agency argues that “[i]t is appropriate and consistent with the legal precedent cited herein to award Webb no more than 45% of the legal fees it claims.” Agency Br. at 3.

The Agency discounts Webb’s reliance on the analysis in Cannon. Agency Br. at 3, citing Cannon v. William Chevrolet/GEO. Inc., 341 Ill. App. 3d 674, 794 N.E.2d 843 (1st Dist. 2004). The Agency claims that, under Cannon, when discrete claims cannot be identified, a “court must evaluate whether the claims (1) involved a common core of facts or related legal theories and (2) whether the plaintiff achieved a level of success making it appropriate to award attorney fees for hours reasonably expended on the unsuccessful claims as well.” Agency Br. at 2, citing Cannon, 341 Ill. App. 3d at 687, 794 N.E.2d at 854. The Agency argues that the Board need not perform this evaluation because Webb’s proposed budget includes “[r]eadily identifiable, discrete and separate costs.” Agency Br. at 3. The Agency suggests that, even if the Board did perform this evaluation, Webb’s level of partial success makes it inappropriate to award fees for time spent on unsuccessful claims. Agency Br. at 4.

Referring to Webb’s request for reimbursement of engineer’s fees, the Agency notes that the Board in Ted Harrison, Illinois Ayers, and Swif-T specifically awarded attorney fees or legal fees. Agency Br. at 4. The Agency argues that “Webb provides no legal authority for interpreting Section 57.8(1) or past Board precedent as allowing the award of engineer fees.” *Id.*, citing 415 ILCS 5/57.8(1) (2004). Restating its argument that this fee-shifting statute must be strictly construed, the Agency claims that “these fees should not be awarded to Webb.” Agency Br. at 4.

DISCUSSION

Attorney Fees

Title XVI of the Act establishes the Leaking Underground Storage Tank Program. 415 ILCS 5/57 (2004). The purposes of Title XVI include administering a UST Fund and establishing requirements for eligible owners to seek reimbursement from it. 415 ILCS 5/57(3), 57(4) (2004). Section 57.8(1) of the Act provides that the Board “may authorize payment of legal fees” if the owner prevails before the Board in seeking payment under Title XVI. 415 ILCS 5/57.8(1) (2004). Because this subsection of the Act provides for the reimbursement of legal fees incurred in prevailing before the Board, it constitutes a “fee-shifting” statute. See Brundidge, et al. v. Glendale Federal Bank, F.S.B. 168 Ill. 2d 235, 245, 659 N.E.2d 909, 914 (1995).

The Board must strictly construe fee-shifting statutes, and the amount of fees to be awarded lies within the broad discretionary powers of the Board. See Globalcom, 347 Ill. App. 3d at 618, 806 N.E.2d at 1214 (citations omitted). This discretion includes determining the reasonableness of the requested fees. Illinois Ayers, PCB 03-214, slip op. at 8 (Aug. 5, 2004)

(citations omitted). “[T]he general rule is that a party is not entitled to fees for its unsuccessful claims.” Globalcom, 347 Ill. App. 3d at 618, 806 N.E.2d at 1214 (citation omitted).

In an interim opinion and order dated February 15, 2007, the Board affirmed the Agency’s rejection of Webb’s proposed budget for personnel for the job titles of senior project manager, professional engineer, and engineer III under the category of High Priority Investigation and Preliminary Costs and for the job title of scientist III under the category of CACR Report/HAAAs/Reimbursements. In the same interim opinion and order, the Board reversed the Agency’s rejection of Webb’s proposed budget for the 16 remaining job titles in Webb’s personnel budget. This outcome differs from the outcomes in Ted Harrison, Illinois Ayers, and Swif-T, in each of which the Board awarded the entire amount of the legal fees requested after the petitioners prevailed on all or on virtually all of the amounts contested in those appeals. In this case, the Board upheld the Agency with regard to 55% of the total personnel costs sought by Webb in its proposed budget. In seeking payment from the UST Fund, Webb prevailed before the Board to the extent of 45% of the personnel budget it had proposed.

Unlike cases which “cannot be perceived as a series of discrete claims” (Cannon, 341 Ill. App. 3d at 687, 794 N.E.2d at 854), the Board in this case has reversed the Agency’s rejection of proposed hours for sixteen job titles comprising 45% of the budget for personnel. Based on the record in this proceeding and on the Agency’s concurrence that it is neither inappropriate nor inconsistent with precedent to do so, the Board directs that Webb be reimbursed \$3,569.63, an amount equal to 45 percent of the legal fees claimed by Webb.

Engineer Fees

Section 57.8(1) of the Act does not by its plain language require or even permit the Board to consider the reimbursement of engineer’s fees incurred in the course of preparing an appeal of an Agency budget determination. See 415 ILCS 5/57.8(1) (2004). Webb has cited no Board precedent requiring or even permitting the Board to order the reimbursement of those fees. Although Webb has cited language from the Board’s UST regulations (35 Ill. Adm. Code 732.605(a)(15)), the Board cannot conclude that this language allows the Board to direct the reimbursement of engineering fees incurred in preparing an appeal of an Agency budget determination. Having been cited to no authority allowing it to do so in this case, the Board declines to require the reimbursement of Webb’s engineering fees.

CONCLUSION

The Board finds that, based on the facts of this case and on the Agency’s position that it is not inappropriate or inconsistent with precedent, partial reimbursement of legal fees is warranted. The Board further finds that it does not have authority to direct the Agency to reimburse engineer fees sought by Webb. Therefore, the Board directs that Webb be reimbursed \$3,569.63, an amount equal to 45 percent of the legal fees claimed by Webb. The Board sets forth its entire modified order below.

ORDER

1. The Board affirms the Agency's rejection of Webb's proposed budget for personnel for the job titles of senior project manager (453 hours), professional engineer (84 hours), and engineer III (68 hours) under the category of High Priority Investigation and Preliminary Costs and the job title of scientist III (16 hours) under the category of CACR Report/HAA's/Reimbursements.

2. The Board reverses the Agency's rejection of Webb's proposed budget for the 16 remaining job titles in Webb's personnel budget. Specifically, under the category of High Priority Investigation and Preliminary Costs, the Board reverses the Agency's rejection of Webb's proposed personnel budget for the job titles of senior scientist (150 hours), scientist III (102 hours), scientist I (21 hours), draftsperson (6 hours), and technician I (9.5 hours).

Under the category of CAP Implementation (dig and haul), the Board reverses the Agency's rejection of Webb's proposed personnel budget for the job titles of senior project manager (8 hours), professional engineer (4 hours), senior scientist (16 hours), scientist III (30 hours), and technician I (70 hours).

Under the category of Additional Well Monitoring/Well Replacement/TACO sample collection, the Board reverses the Agency's rejection of Webb's proposed personnel budget for the job titles of senior scientist (8 hours), scientist III (42 hours), and environmental technician I (42 hours).

Under the category of CACR Report/HAA's/Reimbursements, the Board reverses the Agency's rejection of Webb's proposed personnel budget for the job titles of senior project manager (8 hours), professional engineer (32 hours), and senior scientist (92 hours).

3. The Board directs that Webb be reimbursed \$3,569.63, an amount equal to 45 percent of the legal fees claimed by Webb.

IT IS SO ORDERED.

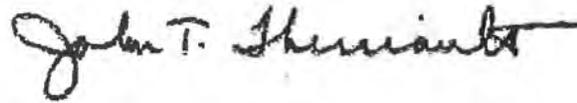
Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2004); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rules 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on May 3, 2007, by a vote of 4-0.

BUDGET
ITEMS

ATTORNEY
FEES

7

A handwritten signature in black ink, reading "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

MAY 31 2007

7004 2510 0001 8616 4634

Ms. Doris Webb
8687 East 150 North
Lerna, Illinois 62240

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

Dear Ms. Webb

The Illinois Environmental Protection Agency (Illinois EPA) has received the decision by the Pollution Control Board dated, May 3, 2007, concerning an appeal of the September 12, 2006 Illinois EPA review letter. The September 12, 2006, review letter is associated with the corrective action plan budget received August 18, 2006. Outlined below is the personnel costs awarded by the Illinois Pollution Control Board (IPCB). Please note, an additional amount of \$3,569.63 was awarded for legal fees. This amount is not included in the amount listed below.

Amounts previously approved in the September 12, 2006 letter for corrective action activities:

\$4,329.97 Investigation Costs
\$1,779.47 Analysis Costs
\$0.00 Personnel Costs
\$1,000.00 Equipment Costs
\$132,827.87 Field Purchases and Other Costs

Amount approved by the IPCB in Docket 07-24:

\$0.00 Investigation Costs
\$0.00 Analysis Costs
\$46,563.00 Personnel Costs
\$0.00 Equipment Costs
\$0.00 Field Purchases and Other Costs

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

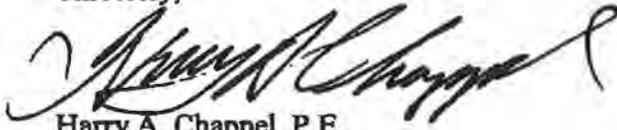
Page 2

Total amount approved for corrective action activities:

\$4,329.97	Investigation Costs
\$1,779.47	Analysis Costs
\$46,563.00	Personnel Costs
\$1,000.00	Equipment Costs
\$132,827.87	Field Purchases and Other Costs

If you have any questions or need further assistance, please contact James R. Malcom, III at 217/524-9140

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:JRM

cc: HDC
BOL File



201 West Springfield Avenue, 3rd Floor
PO Box 140
Champaign, Illinois 61824-0140
BUS 217.352.6976
FAX 217.356.0570
www.hdc-eng.com

October 2, 2007

James Malcom
Illinois Environmental Protection Agency
Bureau of Land
Leaking Underground Storage Tank Section
P. O. Box 19276
Springfield, IL 62794-9276

**RE: Corrective Action Plan & Budget Addendum
LPC # 0290255079 - Coles County
Mattoon / Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No.: 931126/021577
LUST Technical File**

Mr. Malcom:

On behalf of Ms. Doris Webb, HDC Engineering (HDC) is submitting the enclosed High Priority Corrective Action Budget Addendum for the above referenced LUST incident number. The addendum requests costs associated with the personnel titles that were denied from the August 2006 budget and subsequently omitted from the appeal decision (IPCB Docket 07-24). These personnel titles are Senior Project Manager, Professional Engineer, and Engineer III. Appeals are no longer included in the task description.

Because the addendum deals only with these personnel costs, only budget forms A, B, G, and L are enclosed, along with the budget certification form. If you have any questions, or need additional information, please contact me at (217) 352-6976.

Respectfully Submitted,
HDC Engineering, LLC

Kevin Saylor, PE
Environmental Division Manager

cc: Doris Webb
File

Enclosures

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NOV 01 2007

REVIEWER JW

**Illinois Environmental Protection Agency
Leaking Underground Storage Tank Program
High Priority Corrective Action Budget Addendum**



Site Location

Webb & Sons, Inc.
1201 DeWitt Avenue
Mattoon, Illinois 61938
Coles County
LUST Incident No. 20021577
931126

Prepared For

Doris Webb
1201 DeWitt Avenue
Mattoon, Illinois 61938

Prepared by

HDC Engineering, Inc.
201 West Springfield, Suite 300
Champaign, Illinois 61820
Phone: 217.352.6976
Fax: 217.356.0570

HDC Project No. 01323

September 28, 2007

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ENGINEERS • SURVEYORS • PLANNERS

LIST OF CONTENTS

Site Information Form

Proposed Budget Summary and Budget Total Form

Personnel Form

High Priority Corrective Action Form

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

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**BUDGET AND BILLING FORM FOR
LEAKING UNDERGROUND STORAGE
TANK SITES**

A. SITE INFORMATION

Site Name: Webb & Sons, Inc.
Site Address: 1201 DeWitt Avenue City: Mattoon
Zip: 61938
County: Coles IEPA Generator No.: 0290255079
IEMA Incident No.: 931126 and 20021577 IEMA Notification Date: May 7, 1993
Date this Form was Prepared: September 2007

This form is being submitted as a:

- Budget Proposal
- Budget Amendment (Budget Amendments must include only the costs over the previous budget.)
Amendment Number: _____
- Billing Package for costs incurred pursuant to 35 Illinois Administrative Code (IAC), Part 732 ("new program").

This form is being submitted for the Site Activities indicated below (check one):

- Early Action
- Low Priority Corrective Action
- Other (indicate activities) _____
- Site Classification
- High Priority Corrective Action

DO NOT SUBMIT "NEW PROGRAM" COSTS AND "OLD PROGRAM" COSTS AT THE SAME TIME, ON THE SAME FORMS.

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A-1

This form must be submitted in duplicate.

IEMA No. 931126, 20021577

If eligible for reimbursement, where should reimbursement checks be sent? Please note that only owners or operators of USTs may be eligible for reimbursement. Therefore, payment can only be made to an owner or operator.

Pay to the order of: Webb & Sons, Inc.

Send in care of: HDC Engineering

Address: 201 W. Springfield Avenue, Suite 300, P. O. Box 140

City: Champaign State: Illinois Zip: 61824

Number of Petroleum USTs in Illinois presently owned or operated by the owner or operator; any subsidiary, parent or joint stock company of the owner or operator; and any company owned by any parent, subsidiary or joint stock company of the owner or operator:

Fewer than 101: X 101 or more: _____

Number of USTs at the site: 7 (Number of USTs includes USTs presently at the site and USTs that have been removed.)

Number of incidents reported to IEMA: 2

Incident Numbers assigned to the site due to releases from USTs: 931126 and 20021577

Please list all tanks which have ever been located at the site and are presently located at the site.

Product Stored	Size (gallons)	Did UST have a release?		Incident No.	Type of Release
<u>Gasoline</u>	<u>1,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Heating Oil</u>	<u>2,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Kerosene</u>	<u>1,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Diesel</u>	<u>10,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Kerosene</u>	<u>5,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Diesel</u>	<u>4,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
<u>Gasoline</u>	<u>2,000</u>	<u>(Yes)</u>	<u>No</u>	<u>931126,20021577</u>	<u>tank, line leak</u>
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____

IEMA No. 931126, 20021577

B. PROPOSED BUDGET SUMMARY AND BUDGET TOTAL

1. Investigation Costs: \$ 0
2. Analysis Costs: \$ 0
3. Personnel Costs: \$ 16,745.00
4. Equipment Costs: \$ 0
5. Field Purchases and Other Costs: \$ 0
6. Handling Charges: \$ 0

TOTAL PROPOSED BUDGET = \$ 16,745.00

B-1

This form must be submitted in duplicate.

IEMA No. 931126, 20021577

G. PERSONNEL

All personnel costs that are not included elsewhere in the budget/billing form must be listed here. Costs must be listed per task, not personnel type. The following are some examples of tasks: Drafting, data collection, plan, report, or budget preparation for _____ (i.e., site classification work plan, 45 day report, or high priority corrective action budget), sampling, field oversight for _____ (i.e., drilling/well installation, corrective action, or early action), of maintenance of _____. The above list is not inclusive of all possible tasks.

High Priority Investigation and Preliminary Costs

Senior Project Manager : 100 hours x \$ 98.00 per hour = \$ 9,800.00
(Title)

Task to be performed for the above hours: Project review, oversight and supervision; project development; subcontractor quotes and availability, Corrective Action planning

Professional Engineer : 40 hours x \$ 87.00 per hour = \$ 3,480.00
(Title)

Task to be performed for the above hours: Corrective Action planning; development of high priority plans; CAP and budget preparation; client meetings; JEPA liaison; budget review and certification

Engineer III : 45 hours x \$ 77.00 per hour = \$ 3,465.00
(Title)

Task to be performed for the above hours: Corrective Action planning; development of CAP and budget; TACO Tier II calculations and analysis; site contaminant assessment and delineation

TOTAL PERSONNEL COSTS: \$ 16,745.00

IEMA No. 931126, 20021577

L. HIGH PRIORITY CORRECTIVE ACTION

Corrective Action at High Priority Sites may involve both soil and groundwater remediation. Below provide a summary of costs for the remediation type(s) chosen and attach the appropriate sections of the budget/billing forms to support the summary of costs.

A. Preparation of the Correction Action Plan

1. Investigation Costs: \$ _____
2. Analysis Costs: \$ _____
3. Personnel Costs: \$ _____
4. Equipment Costs: \$ _____
5. Field Purchases and Other Costs: \$ _____
6. Handling Charges: \$ _____

B. Groundwater Remediation

1. Analysis Costs: \$ _____
2. Personnel Costs: \$ _____
3. Equipment Costs: \$ _____
4. Field Purchases and Other Costs: \$ _____
5. Handling Charges: \$ _____

Of the above costs, please provide a break down of the costs associated with operation and maintenance (O&M), if applicable, as requested below:

_____ Months of O&M x \$ _____ per month = \$ _____

C. Excavation and Disposal

1. Analysis Costs: \$ _____
2. Personnel Costs: \$ _____
3. Equipment Costs: \$ _____
4. Field Purchases and Other Costs: \$ _____
5. Handling Charges: \$ _____

Of the above costs, please provide a break down of the costs associated with excavation transportation, and disposal as requested below:

Excavation: _____ yards³ x \$ _____ per yards³ = \$ _____

Transportation: _____ yards³ x \$ _____ per yards³ = \$ _____

Disposal: _____ yards³ x \$ _____ per yards³ = \$ _____

IEMA No. 931126, 20021577

D. Alternate Technology, Type

- 1. Investigation Costs: \$ _____
- 2. Analysis Costs: \$ _____
- 3. Personnel Costs: \$ _____
- 4. Equipment Costs: \$ _____
- 5. Field Purchases and Other Costs: \$ _____
- 6. Handling Charges: \$ _____

Of the above costs, please provide a break down of the following costs as requested below if applicable:

Excavation: _____ yards³ x \$ _____ per yards³ = \$ _____

Transportation: _____ yards³ x \$ _____ per yards³ = \$ _____

Treatment: _____ yards³ x \$ _____ per yards³ = \$ _____

Operation and Maintenance (O&M):

_____ Months of O&M x \$ _____ per month = \$ _____

E. Backfill Costs

- 1. Personnel Costs: \$ _____
- 2. Equipment Costs: \$ _____
- 3. Field Purchases and Other Costs: \$ _____
- 4. Handling Charges: \$ _____

Of the above costs, please provide a break down of the following costs as requested below if applicable:

Type of Backfill: _____

_____ yards³ x \$ _____ per yards³ = \$ _____

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

I hereby certify that I intend to seek payment from the UST Fund for costs incurred while performing corrective action activities for Leaking UST incident 931126/20021577. I further certify that the costs set forth in this budget are necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57, no costs are included in this budget that are not described in the corrective action plan, and no costs exceed Subpart H: Maximum Payment Amounts, Appendix D Sample Handling and Analysis amounts, and Appendix E Personnel Titles and Rates of 35 Ill. Adm. Code 732 or 734. I further certify that costs ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606 or 734.630 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

- Costs associated with ineligible tanks.
- Costs associated with site restoration (e.g., pump islands, canopies).
- Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).
- Costs incurred prior to IEMA notification.
- Costs associated with planned tank pulls.
- Legal fees or costs.
- Costs incurred prior to July 28, 1989.
- Costs associated with installation of new USTs or the repair of existing USTs.

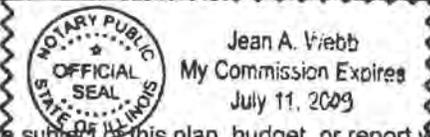
Owner/Operator: Ms. Doris Webb

Authorized Representative: _____ Title: _____

Signature: Doris G. Webb Date: 10-1-07

Subscribed and sworn to before me the 1st day of October, 2007

Jean A. Viebb
(Notary Public)

Seal: 

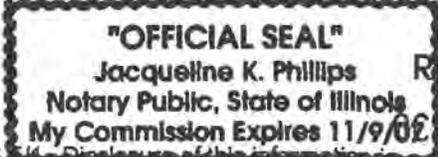
In addition, I certify under penalty of law that all activities that are the subject of this plan, budget, or report were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan, budget, or report and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the plan, budget, or report has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

L.P.E./L.P.G.: Kevin R. Saylor L.P.E./L.P.G. Seal: _____

L.P.E./L.P.G. Signature: Kevin Saylor Date: 10.2.07

Subscribed and sworn to before me the 2nd day of October, 2007

Jacqueline K. Phillips
(Notary Public)

Seal:  RECEIVED 03 2007

The Illinois EPA is authorized to require this information under 415 ILCS 5/44. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder.

IEPA/BOL



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7007 0220 0000 0039 1867

NOV 05 2007

Doris Webb
8687 East 150 North
Lerna, Illinois 62240

Re: LPC# 0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No. 20021577 & 931126
LUST Technical File

Dear Mr. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the High Priority Corrective Action Plan Budget (budget) submitted for the above-referenced incident. This budget, dated October 2, 2007 was received by the Illinois EPA on October 3, 2007 Citations in this letter are from the Environmental Protection Act (Act) in effect prior to June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The budget is approved for the amounts listed below. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of payment from the Fund may be limited by Sections 57.8(e), 57.8(g) and 57.8(d) of the Act, as well as 35 Ill. Adm. Code 732.604, 732.606(s), and 732.611:

The following amounts are approved:

\$0.00	Investigation Costs
\$0.00	Analysis Costs
\$16,745.00	Personnel Costs
\$0.00	Equipment Costs
\$0.00	Field Purchases and Other Costs

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NOV 08 2007

REVIEWER MD

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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Page 2

Total Amount Approved For High Priority Corrective Action Activities To Date :

\$4,329.97	Investigation Costs
\$1,779.47	Analysis Costs
\$63,308.00	Personnel Costs
\$1,000.00	Equipment Costs
\$132,827.87	Field Purchases and Other Costs

All future correspondence must be submitted to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

If you have any questions or need further assistance, please contact James R. Malcom, III at 217/524-9140

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:JRM

cc: HDC
BOL File

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Postmark Here

Doris Webb
 8687 East 150 North
 Lerna, IL 62240

City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

20021577, 931126 HAC/bm

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Doris Webb
 8687 East 150 North
 Lerna, IL 62240

20021577, 931126 HAC/bm

2. Article Number
 (Transfer from service label)

7007 0220 0000 0039 1867

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Doris Webb Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 11/07/07

D. Is delivery address different from Item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Illinois Environmental Protection Agency

P.O. Box 19276 Mail Code #

Springfield, IL 62794-9276





COPY

August 20, 2013

James Malcom
Illinois Environmental Protection Agency
Bureau of Land
Leaking Underground Storage Tank Section
P. O. Box 19276
Springfield, IL 62794-9276

**RE: Corrective Action Budget Amendment
LPC # 0290255079 - Coles County
Mattoon / Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No.: 931126/021577
LUST Technical File**

Mr. Malcom:

On behalf of Ms. Doris Webb, MSA Professional Services (MSA) is submitting the enclosed High Priority Corrective Action Budget Amendment for the above referenced LUST incident number. The Corrective Action Plan was approved with modifications on September 12, 2006. Execution of corrective action at the site has been stalled primarily because some contractors MSA had worked with were no longer in business. New contractors had to be determined and hired. It was a long and tedious process.

The amendment requests costs associated with project management, correspondence with the client, client's attorney, state senator's and representative's offices, IEPA, correspondence and meetings with potential subcontractors, groundwater level measurements, landfill profile sample collection and analysis, review of vapor intrusion assessment regulations, status report preparation, budget amendment preparation and two additional reimbursement submittals.

If you have any questions, or need additional information, please contact me at (217) 352-6976.

Respectfully,
MSA Professional Services

Toni Laros
Environmental Professional

Enclosures

cc: Doris Webb
File

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AUG 22 2013
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Offices in Illinois, Iowa, Minnesota, and Wisconsin

201 W. SPRINGFIELD AVENUE, SUITE 400 • CHAMPAIGN, IL 61820
(217) 352-6976 • (877) 352-0081 • FAX: (217) 356-0570
www.msa-ps.com



Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

General Information for the Budget and Billing Forms

LPC #: 0290255079 County: Coles

City: Mattoon Site Name: Webb & Sons, Inc.

Site Address: 1201 DeWitt Avenue

IEMA Incident No.: 931126 20021577

IEMA Notification Date: May 7, 1993

Date this form was prepared: May 2, 2013

This form is being submitted as a (check one, if applicable):

- Budget Proposal
- Budget Amendment (Budget amendments must include only the costs over the previous budget.)
- Billing Package

Please provide the name(s) and date(s) of report(s) documenting the costs requested:

Name(s): _____

Date(s): _____

This package is being submitted for the site activities indicated below:

35 Ill. Adm. Code 734:

- Early Action
- Free Product Removal after Early Action
- Site Investigation Stage 1: Stage 2: Stage 3:
- Corrective Action Actual Costs

35 Ill. Adm. Code 732:

- Early Action
- Free Product Removal after Early Action
- Site Classification
- Low Priority Corrective Action
- High Priority Corrective Action

35 Ill. Adm. Code 731:

- Site Investigation
- Corrective Action

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General Information for the Budget and Billing Forms

The following address will be used as the mailing address for checks and any final determination letters regarding payment from the Fund.

Pay to the order of: Webb & Sons, Inc.

Send in care of: MSA Professional Services

Address: 201 W. Springfield Avenue

City: Champaign State: Illinois Zip: 61820

The payee is the: Owner Operator (Check one or both.)

Donna Webb

W-9 must be submitted.
Click here to print off a W-9 Form.

Signature of the owner or operator of the UST(s) (required)

Number of petroleum USTs in Illinois presently owned or operated by the owner or operator; any subsidiary, parent or joint stock company of the owner or operator; and any company owned by any parent, subsidiary or joint stock company of the owner or operator:

Fewer than 101: 101 or more:

Number of USTs at the site: 7 (Number of USTs includes USTs presently at the site and USTs that have been removed.)

Number of incidents reported to IEMA for this site: 2

Incident Numbers assigned to the site due to releases from USTs: 931126 20021577

Please list all tanks that have ever been located at the site and tanks that are presently located at the site.

Product Stored in UST	Size (gallons)	Did UST have a release?	Incident No.	Type of Release Tank Leak / Overfill / Piping Leak
Gasoline	1,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Heating Oil	2,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	1,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	10,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	5,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	4,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Gasoline	2,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
		Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Yes <input type="checkbox"/> No <input type="checkbox"/>		

Add More Rows Undo Last Add

Budget Summary

Choose the applicable regulation: 734 732

734	Free Product	Stage 1 Site Investigation	Stage 2 Site Investigation	Stage 3 Site Investigation	Corrective Action
Drilling and Monitoring Well Costs Form	\$	\$	\$	\$	\$ 1,403.96
Analytical Costs Form	\$	\$	\$	\$	\$ 135.70
Remediation and Disposal Costs Form	\$	\$	\$	\$	\$
UST Removal and Abandonment Costs Form	\$	\$	\$	\$	\$
Paving, Demolition, and Well Abandonment Costs Form	\$	\$	\$	\$	\$
Consulting Personnel Costs Form	\$	\$	\$	\$	\$ 56,256.00
Consultant's Materials Costs Form	\$	\$	\$	\$	\$ 407.50
Handling Charges Form	Handling charges will be determined at the time a billing package is submitted to the Illinois EPA. The amount of allowable handling charges will be determined in accordance with the Handling Charges Form.				
Total	\$	\$	\$	\$	\$ 58,203.16

Drilling and Monitoring Well Costs Form

1. Drilling

Number of Borings to Be Drilled	Type HSA/PUSH/ Injection	Depth (feet) of Each Boring	Total Feet Drilled	Reason for Drilling
1	PUSH	1.00	1.00	Lump sum drill cost (landfill profile sample 6 - 8 ft bls)

8 feet

Subpart H minimum payment amount applies.

	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:	1.00	1,403.96	1,403.96
Total Feet for Injection via PUSH:			
Total Drilling Costs:			1,403.96

2. Monitoring / Recovery Wells

Number of Wells	Type of Well HSA / PUSH / 4" or 6" Recovery / 8" Recovery	Diameter of Well (inches)	Depth of Well (feet)	Total Feet of Wells to Be Installed (\$)

Well Installation	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:			
Total Feet of 4" or 6" Recovery:			
Total Feet of 8" or Greater Recovery:			
Total Well Costs:			

Total Drilling and Monitoring Well Costs:	\$1,403.96
--	-------------------

Analytical Costs Form

Laboratory Analysis	Number of Samples		Cost (\$) per Analysis		Total per Parameter
Chemical Analysis					
BETX Soil with MTBE EPA 8260		X		=	
BETX Water with MTBE EPA 8260		X		=	
COD (Chemical Oxygen Demand)		X		=	
Corrosivity		X		=	
Flash Point or Ignitability Analysis EPA 1010		X		=	
Fraction Organic Carbon Content (f _{OC}) ASTM-D 2974-00		X		=	
Fat, Oil, & Grease (FOG)		X		=	
LUST Pollutants Soil - analysis must include volatile, base/neutral, polynuclear aromatics and metals list in Section 732. Appendix B and 734. Appendix B		X		=	
Dissolved Oxygen (DO)		X		=	
Paint Filter (Free Liquids)		X		=	
PCB / Pesticides (combination)		X		=	
PCBs		X		=	
Pesticides		X		=	
pH		X		=	
Phenol	1	X	39.78	=	\$39.78
Polynuclear Aromatics PNA, or PAH SOIL EPA 8270		X		=	
Polynuclear Aromatics PNA, or PAH WATER EPA 8270		X		=	
Reactivity		X		=	
SVOC - Soil (Semi-Volatile Organic Compounds)		X		=	
SVOC - Water (Semi-Volatile Organic Compounds)		X		=	
TKN (Total Kjeldahl) "nitrogen"		X		=	
TPH (Total Petroleum Hydrocarbons)		X		=	
VOC (Volatile Organic Compounds) - Soil (Non-Aqueous)		X		=	
VOC (Volatile Organic Compounds) - Water		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
Geo-Technical Analysis					
Soil Bulk Density (p _b) ASTM D2937-94		X		=	
Ex-situ Hydraulic Conductivity / Permeability		X		=	
Moisture Content (w) ASTM D2216-92 / D4643-93		X		=	
Porosity		X		=	
Rock Hydraulic Conductivity Ex-situ		X		=	
Sieve / Particle Size Analysis ASTM D422-63 / D1140-54		X		=	
Soil Classification ASTM D2488-90 / D2487-90		X		=	
Soil Particle Density (p _s) ASTM D854-92		X		=	
		X		=	
		X		=	
		X		=	

Analytical Costs Form

Metals Analysis					
Soil preparation fee for Metals TCLP Soil (one fee per soil sample)		X		=	
Soil preparation fee for Metals Total Soil (one fee per soil sample)	1	X	18.71	=	\$18.71
Water preparation fee for Metals Water (one fee per water sample)		X		=	
Arsenic TCLP Soil		X		=	
Arsenic Total Soil		X		=	
Arsenic Water		X		=	
Barium TCLP Soil		X		=	
Barium Total Soil		X		=	
Barium Water		X		=	
Cadmium TCLP Soil		X		=	
Cadmium Total Soil		X		=	
Cadmium Water		X		=	
Chromium TCLP Soil		X		=	
Chromium Total Soil		X		=	
Chromium Water		X		=	
Cyanide TCLP Soil		X		=	
Cyanide Total Soil		X		=	
Cyanide Water		X		=	
Iron TCLP Soil		X		=	
Iron Total Soil		X		=	
Iron Water		X		=	
Lead TCLP Soil		X		=	
Lead Total Soil	1	X	18.71	=	\$18.71
Lead Water		X		=	
Mercury TCLP Soil		X		=	
Mercury Total Soil		X		=	
Mercury Water		X		=	
Selenium TCLP Soil		X		=	
Selenium Total Soil		X		=	
Selenium Water		X		=	
Silver TCLP Soil		X		=	
Silver Total Soil		X		=	
Silver Water		X		=	
Metals TCLP Soil (a combination of all metals) RCRA		X		=	
Metals Total Soil (a combination of all metals) RCRA		X		=	
Metals Water (a combination of all metals) RCRA		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
Other					
EnCore® Sampler, purge-and-trap sampler, or equivalent sampling device		X		=	
Sample Shipping per sampling event ¹	1	X	58.50	=	\$58.50

¹A sampling event, at a minimum, is all samples (soil and groundwater) collected in a calendar day.

Total Analytical Costs: \$ 135.70

Consulting Personnel Costs Form

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			
Atchley	Senior Prof. Engineer	6.00	152.00	\$912.00
CCAP-Budget	Review and certify CAP Budget amendment			
Atchley	Senior Prof. Engineer	12.00	152.00	\$1,824.00
CA-Pay	Review and certify additional two CAP reimbursements			
Atchley	Senior Prof. Engineer	24.00	152.00	\$3,648.00
CCAP	Technical oversight for data review/modeling & review VI regs; supervise lower professionals			
Jones	Senior Project Manager	67.00	117.00	\$7,839.00
CCAP	Overall project management, supervision, invoicing over last 5 years			
Jones	Senior Project Manager	54.00	117.00	\$6,318.00
CCAP	Corresp. w/state senator & representative, IEPA, mtgs w/subcontractors; review VI regs			
Jones	Senior Project Manager	18.00	117.00	\$2,106.00
CCA-Field	Several visits to Site, site inspections and attempts to contact client			
Laros	Geologist III	60.00	102.00	\$6,120.00
CCAP	Mtg & corresp w/subs, corresp w/client, client attorney, state rep, discuss CAP & GW ord w/IEPA			
Laros	Geologist III	52.00	102.00	\$5,304.00
CCAP	Review GW levels, prepare CAP Status Report, timeline for state rep; prepare notification letters			
Laros	Geologist III	18.00	102.00	\$1,836.00
TACO 2 or 3	Data review, conduct R26 modeling for notification purposes			

Electronic Filing: Received, Clerk's Office 6/1/2017

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			
Laros	Geologist III	20.00	102.00	\$2,040.00
CCAP-Budget	Prepare CAP Budget amendment			
Laros	Geologist III	18.00	102.00	\$1,836.00
CCA-Field	Collect landfill profile sample, pack & ship to lab, corresp. w/landfill, lab and client, fill out landfill certs			
Laros	Geologist III	28.00	102.00	\$2,856.00
CCAP	Review VI assessment regulations			
Walsh	Senior Scientist	8.00	99.00	\$792.00
CCAP-Budget	Assist w/budget amendment preparation			
Walsh	Senior Scientist	67.00	99.00	\$6,633.00
CA-Pay	Correspond w/client & Site tenants regarding corrective action; prepare two add'l reimbursements			
Walsh	Senior Scientist	8.00	99.00	\$792.00
CCA-Field	Well measurements			
Phillips	Draftperson/CAD IV	8.00	64.00	\$512.00
CCAP	Misc figures for client and CAP Status Report			
Smith	Technician I	38.00	52.00	\$1,976.00
CCAP	Well measurements, equipment calibration, site security/inspections			
Glenn	Senior Admin. Assistant	30.00	52.00	\$1,560.00
CA-Pay	Assist w/reimbursement prep; send client sign pages; copy, bind & ship 2 reimbursement packages;			

Consultant's Materials Costs Form

Materials, Equipment, or Field Purchase		Time or Amount Used	Rate (\$)	Unit	Total Cost
Remediation Category	Description/Justification				
Sampling Supplies		1.00	30.00	day	\$30.00
CCA-Field	Landfill profile sample				
Water level indicator		2.00	50.00	day	\$100.00
CCA-Field	Well measurements				
Mileage		500.00	.56	mile	\$277.50
CCA-Field	Additional site visits				
Total of Consultant Materials Costs					\$407.50

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

I hereby certify that I intend to seek payment from the UST Fund for costs incurred while performing corrective action activities for Leaking UST incident 931126, 20021577. I further certify that the costs set forth in this budget are for necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57, no costs are included in this budget that are not described in the corrective action plan, and no costs exceed Subpart H: Maximum Payment Amounts, Appendix D Sample Handling and Analysis amounts, and Appendix E Personnel Titles and Rates of 35 Ill. Adm. Code 732 or 734. I further certify that costs ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606 or 734.630 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

- Costs associated with ineligible tanks.
- Costs associated with site restoration (e.g., pump islands, canopies).
- Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).
- Costs incurred prior to IEMA notification.
- Costs associated with planned tank pulls.
- Legal fees or costs.
- Costs incurred prior to July 28, 1989.
- Costs associated with installation of new USTs or the repair of existing USTs.

RECEIVED
AUG 22 2013
IEPA/BOL

Owner/Operator: Webb & Sons, Inc.

Authorized Representative: Doris Webb

Title: _____

Signature: Doris Webb

Date: 7-16-13

Subscribed and sworn to before me the 16th day of July

[Signature]
(Notary Public)

Seal:



In addition, I certify under penalty of law that all activities that are the subject of this plan, budget, or report were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan, budget, or report and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the plan, budget, or report has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

L.P.E./L.P.G.: David Atchley

L.P.E./L.P.G. Seal: _____

L.P.E./L.P.G. Signature: David Atchley

Date: 8/23/13

Subscribed and sworn to before me the 20th day of AUGUST, 2013

Mary H. Knepple
(Notary Public)

Seal:



OFFICIAL SEAL
MARY H KNEPPLE

Notary Public, State of Illinois
My commission EXPIRES 08/03/15

The Illinois EPA is authorized to require this information under 415 ILCS 5/1. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder.

Form **W-9**
 (Rev. December 2011)
 Department of the Treasury
 Internal Revenue Service

**Request for Taxpayer
 Identification Number and Certification**

Give Form to the
 requester. Do not
 send to the IRS.

Name (as shown on your income tax return)
Webb & Sons, Inc.

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
 Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

Other (see instructions) ▶

Address (number, street, and apt. or suite no.)
1201 DeWitt Avenue

City, state, and ZIP code
Mattoon, IL 61938

List account number(s) here (optional)

Requester's name and address (optional)

Exempt payee

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-			-		

Employer identification number									
3	7	-	1	2	5	0	0	7	3

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ *Wesley Webb* Date ▶ *7-16-13*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



Office of the Illinois
State Fire Marshal

General Office

217-785-0960

FAX

217-782-1082

Divisions

ARSON INVESTIGATION

217-782-6118

BOILER and PRESSURE

VESSEL SAFETY

217-782-2096

FIRE PREVENTION

217-785-4714

MANAGEMENT SERVICES

217-782-0989

INFIRS

217-788-8826

HUMAN RESOURCES

217-785-1028

PERSONNEL STANDARDS

and EDUCATION

217-782-4542

PETROLEUM and

CHEMICAL SAFETY

217-785-5678

PUBLIC INFORMATION

217-785-1021

WEB SITE

www.state.il.us/osfm

CERTIFIED MAIL - RECEIPT REQUESTED #7002 1000 0004 8741 6800

CORRECTED

July 12, 2002

Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, IL 61938

In Re:

Facility No. 4-028243
IEMA Incident No. 93-1126
Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, Coles Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on June 12, 2002 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

It has been determined that you are eligible to seek payment of costs in excess of \$15,000. The costs must be in response to the occurrence referenced above and associated with the following tanks:

Eligible Tanks

- Tank 1 10,000-gallon Diesel
- Tank 2 5,000-gallon Kerosene
- Tank 3 2,000-gallon Heating Oil
- Tank 4 2,000-gallon Diesel
- Tank 5 4,000-gallon Diesel
- Tank 6 1,000-gallon Diesel

You must contact the Illinois Environmental Protection Agency to receive a packet of Agency billing forms for submitting your request for payment.

An owner or operator is eligible to access the Underground Storage Tank Fund if the eligibility requirements are satisfied:

1. Neither the owner nor the operator is the United States Government,
2. The tank does not contain fuel that is exempt from the Motor Fuel Tax Law,
3. The costs were incurred as a result of a confirmed release of any of the following substances:

"Fuel", as defined in Section 1.19 of the Motor Fuel Tax Law

Aviation fuel

1035 Stevenson Drive • Springfield, Illinois 62703-4259

Printed on Recycled Paper

Heating oil

Kerosene

Used oil, which has been refined from crude oil used in a motor vehicle, as defined in Section 1.3 of the Motor Fuel Tax Law.

4. The owner or operator registered the tank and paid all fees in accordance with the statutory and regulatory requirements of the Gasoline Storage Act.
5. The owner or operator notified the Illinois Emergency Management Agency of a confirmed release, the costs were incurred after the notification and the costs were a result of a release of a substance listed in this Section. Costs of corrective action or indemnification incurred before providing that notification shall not be eligible for payment.
6. The costs have not already been paid to the owner or operator under a private insurance policy, other written agreement, or court order.
7. The costs were associated with "corrective action".

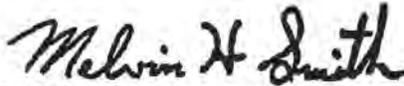
This constitutes the final decision as it relates to your eligibility and deductibility. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision to the Illinois Pollution Control Board (Board), pursuant to Section 57.9 (c) (2). An owner or operator who seeks to appeal the decision shall file a petition for a hearing before the Board within 35 days of the date of mailing of the final decision, (35 Illinois Administrative Code 105.102(a) (2)).

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620

If you have any questions regarding the eligibility or deductibility determinations, please contact our Office at (217) 785-1020 or (217) 785-5878 and ask for Deanne Lock.

Sincerely,



Melvin H. Smith
Division Director
Division of Petroleum and Chemical Safety

MHS/dl

cc: IEPA
Facility File

Page 2

It is recommended that you work with the local union hall(s) to determine which corrective action activities require a PLA.

All future correspondence must be submitted to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact James R. Malcom, III at 217-524-9140.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:jrm

cc: MSA
BOL File



0290255079 - Coles County
Webb & Sons, Inc.
Incident #s 931126 & 20021577
Leaking UST Technical File

October 4, 2013

James Malcom

Illinois Environmental Protection Agency
Bureau of Land
Leaking Underground Storage Tank Section
P. O. Box 19276
Springfield, IL 62794-9276

IEPA-DIVISION OF RECORDS MANAGEMENT
RELEASABLE

NOV 08 2013

**RE: Corrective Action Budget Amendment
LPC # 0290255079 - Coles County
Mattoon / Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No.: 931126/021577
LUST Technical File**

REVIEWER JKS

Mr. Malcom:

On behalf of Ms. Doris Webb, MSA Professional Services (MSA) is submitting the enclosed High Priority Corrective Action (CA) Budget Amendment for the above referenced LUST incident number. The initial CA Budget Amendment submittal was denied in correspondence dated August 28, 2013. As per my conversation with you on September 26, 2013, this Amendment has been revised. MSA submitted a Status Report dated August 22, 2013 which was logged in on the LUST incident tracking database on August 26, 2013. MSA also submitted supporting documentation to IEPA via email on September 9, 2013. The Corrective Action Plan was approved with modifications on September 12, 2006.

The revised amendment requests costs associated with project management, correspondence with the client, client's attorney, state senator's and representative's offices, IEPA, correspondence and meetings with potential subcontractors, groundwater level measurements, landfill profile sample collection and analysis, review of vapor intrusion assessment regulations, status report preparation, budget amendment preparation and two additional reimbursement submittals. If you have any questions, or need additional information, please contact me at (217) 352-6976.

Respectfully,
MSA Professional Services

Toni Laros
Environmental Professional

RECEIVED
OCT 07 2013
IEPA/BOL

Enclosures

cc: Doris Webb
File

Offices in Illinois, Iowa, Minnesota, and Wisconsin
201 W. SPRINGFIELD AVENUE, SUITE 400 • CHAMPAIGN, IL 61820
(217) 352-6976 • (877) 352-0081 • FAX: (217) 356-0570
www.msa-ps.com



Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

General Information for the Budget and Billing Forms

LPC #: 0290255079 County: Coles

City: Mattoon Site Name: Webb & Sons, Inc.

Site Address: 1201 DeWitt Avenue

IEMA Incident No.: 931126 20021577

IEMA Notification Date: May 7, 1993

Date this form was prepared: Sep 25, 2013

This form is being submitted as a (check one, if applicable):

- Budget Proposal
- Budget Amendment (Budget amendments must include only the costs over the previous budget period.)
- Billing Package

RECEIVED

OCT 07 2013

Please provide the name(s) and date(s) of report(s) documenting the costs requested:

Name(s): _____

IEPA/BOL

Date(s): _____

This package is being submitted for the site activities indicated below:

35 Ill. Adm. Code 734:

- Early Action
- Free Product Removal after Early Action
- Site Investigation Stage 1: Stage 2: Stage 3:
- Corrective Action Actual Costs

35 Ill. Adm. Code 732:

- Early Action
- Free Product Removal after Early Action
- Site Classification
- Low Priority Corrective Action
- High Priority Corrective Action

35 Ill. Adm. Code 731:

- Site Investigation
- Corrective Action

General Information for the Budget and Billing Forms

The following address will be used as the mailing address for checks and any final determination letters regarding payment from the Fund.

Pay to the order of: Webb & Sons, Inc.

Send in care of: MSA Professional Services

Address: 201 W. Springfield Avenue

City: Champaign State: Illinois Zip: 61820

The payee is the: Owner Operator (Check one or both.)

Donis Webb

W-9 must be submitted.
[Click here to print off a W-9 Form.](#)

Signature of the owner or operator of the UST(s) (required)

Number of petroleum USTs in Illinois presently owned or operated by the owner or operator; any subsidiary, parent or joint stock company of the owner or operator; and any company owned by any parent, subsidiary or joint stock company of the owner or operator:

Fewer than 101: 101 or more:

Number of USTs at the site: 7 (Number of USTs includes USTs presently at the site and USTs that have been removed.)

Number of incidents reported to IEMA for this site: 2

Incident Numbers assigned to the site due to releases from USTs: 931126 20021577

Please list all tanks that have ever been located at the site and tanks that are presently located at the site.

Product Stored in UST	Size (gallons)	Did UST have a release?	Incident No.	Type of Release Tank Leak / Overfill / Piping Leak
Gasoline	1,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Heating Oil	2,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	1,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	10,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	5,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	4,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
Gasoline	2,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	931126, 20021577	Tank Leak
		Yes <input type="checkbox"/> No <input type="checkbox"/>		
		Yes <input type="checkbox"/> No <input type="checkbox"/>		

Add More Rows Undo Last Add

Budget Summary

Choose the applicable regulation: 734 732

734	Free Product	Stage 1 Site Investigation	Stage 2 Site Investigation	Stage 3 Site Investigation	Corrective Action
Drilling and Monitoring Well Costs Form	\$	\$	\$	\$	\$ 1,403.96
Analytical Costs Form	\$	\$	\$	\$	\$ 135.70
Remediation and Disposal Costs Form	\$	\$	\$	\$	\$
UST Removal and Abandonment Costs Form	\$	\$	\$	\$	\$
Paving, Demolition, and Well Abandonment Costs Form	\$	\$	\$	\$	\$
Consulting Personnel Costs Form	\$	\$	\$	\$	\$ 39,777.00
Consultant's Materials Costs Form	\$	\$	\$	\$	\$ 407.50
Handling Charges Form	Handling charges will be determined at the time a billing package is submitted to the Illinois EPA. The amount of allowable handling charges will be determined in accordance with the Handling Charges Form.				
Total	\$	\$	\$	\$	\$ 41,724.16

Drilling and Monitoring Well Costs Form

1. Drilling

Number of Borings to Be Drilled	Type HSA/PUSH/ Injection	Depth (feet) of Each Boring	Total Feet Drilled	Reason for Drilling
1	PUSH	1.00	1.00	Lump sum drill cost (landfill profile sample 6 - 8 ft bis)

Subpart H minimum payment amount applies.

	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:	1.00	1,403.96	1,403.96
Total Feet for Injection via PUSH:			
Total Drilling Costs:			1,403.96

2. Monitoring / Recovery Wells

Number of Wells	Type of Well HSA / PUSH / 4" or 6" Recovery / 8" Recovery	Diameter of Well (inches)	Depth of Well (feet)	Total Feet of Wells to Be Installed (\$)

Well Installation	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:			
Total Feet of 4" or 6" Recovery:			
Total Feet of 8" or Greater Recovery:			
Total Well Costs:			

Total Drilling and Monitoring Well Costs:	\$1,403.96
--	-------------------

Analytical Costs Form

Laboratory Analysis	Number of Samples	Cost (\$) per Analysis	Total per Parameter
Chemical Analysis			
BETX Soil with MTBE EPA 8260		X	=
BETX Water with MTBE EPA 8260		X	=
COD (Chemical Oxygen Demand)		X	=
Corrosivity		X	=
Flash Point or Ignitability Analysis EPA 1010		X	=
Fraction Organic Carbon Content (f _{oc}) ASTM-D 2974-00		X	=
Fat, Oil, & Grease (FOG)		X	=
LUST Pollutants Soil - analysis must include volatile, base/neutral, polynuclear aromatics and metals list in Section 732. Appendix B and 734. Appendix B		X	=
Dissolved Oxygen (DO)		X	=
Paint Filter (Free Liquids)		X	=
PCB / Pesticides (combination)		X	=
PCBs		X	=
Pesticides		X	=
pH		X	=
Phenol	1	X 39.78	= \$39.78
Polynuclear Aromatics PNA, or PAH SOIL EPA 8270		X	=
Polynuclear Aromatics PNA, or PAH WATER EPA 8270		X	=
Reactivity		X	=
SVOC - Soil (Semi-Volatile Organic Compounds)		X	=
SVOC - Water (Semi-Volatile Organic Compounds)		X	=
TKN (Total Kjeldahl) "nitrogen"		X	=
TPH (Total Petroleum Hydrocarbons)		X	=
VOC (Volatile Organic Compounds) - Soil (Non-Aqueous)		X	=
VOC (Volatile Organic Compounds) - Water		X	=
		X	=
		X	=
		X	=
		X	=
		X	=
Geo-Technical Analysis			
Soil Bulk Density (ρ _b) ASTM D2937-94		X	=
Ex-situ Hydraulic Conductivity / Permeability		X	=
Moisture Content (w) ASTM D2216-92 / D4643-93		X	=
Porosity		X	=
Rock Hydraulic Conductivity Ex-situ		X	=
Sieve / Particle Size Analysis ASTM D422-63 / D1140-54		X	=
Soil Classification ASTM D2488-90 / D2487-90		X	=
Soil Particle Density (ρ _s) ASTM D854-92		X	=
		X	=
		X	=
		X	=

Analytical Costs Form

Metals Analysis					
Soil preparation fee for Metals TCLP Soil (one fee per soil sample)		X		=	
Soil preparation fee for Metals Total Soil (one fee per soil sample)	1	X	18.71	=	\$18.71
Water preparation fee for Metals Water (one fee per water sample)		X		=	
Arsenic TCLP Soil		X		=	
Arsenic Total Soil		X		=	
Arsenic Water		X		=	
Barium TCLP Soil		X		=	
Barium Total Soil		X		=	
Barium Water		X		=	
Cadmium TCLP Soil		X		=	
Cadmium Total Soil		X		=	
Cadmium Water		X		=	
Chromium TCLP Soil		X		=	
Chromium Total Soil		X		=	
Chromium Water		X		=	
Cyanide TCLP Soil		X		=	
Cyanide Total Soil		X		=	
Cyanide Water		X		=	
Iron TCLP Soil		X		=	
Iron Total Soil		X		=	
Iron Water		X		=	
Lead TCLP Soil		X		=	
Lead Total Soil	1	X	18.71	=	\$18.71
Lead Water		X		=	
Mercury TCLP Soil		X		=	
Mercury Total Soil		X		=	
Mercury Water		X		=	
Selenium TCLP Soil		X		=	
Selenium Total Soil		X		=	
Selenium Water		X		=	
Silver TCLP Soil		X		=	
Silver Total Soil		X		=	
Silver Water		X		=	
Metals TCLP Soil (a combination of all metals) RCRA		X		=	
Metals Total Soil (a combination of all metals) RCRA		X		=	
Metals Water (a combination of all metals) RCRA		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
Other					
EnCore [®] Sampler, purge-and-trap sampler, or equivalent sampling device		X		=	
Sample Shipping per sampling event ¹	1	X	58.50	=	\$58.50

¹A sampling event, at a minimum, is all samples (soil and groundwater) collected in a calendar day.

Total Analytical Costs: \$ 135.70

Consulting Personnel Costs Form

Employee Name		Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task				
Atchley		Senior Prof. Engineer	4.00	152.00	\$608.00
CCAP-Budget	Review and certify CAP Budget amendment				
Atchley		Senior Prof. Engineer	8.00	152.00	\$1,216.00
CA-Pay	Review and certify additional two CAP reimbursements				
Atchley		Senior Prof. Engineer	18.00	152.00	\$2,736.00
CCAP	Technical oversight for data review/modeling & review VI regs; supervise lower professionals				
Jones		Senior Project Manager	30.00	117.00	\$3,510.00
CCAP	Overall project management, supervision, invoicing over last 5 years				
Jones		Senior Project Manager	38.00	117.00	\$4,446.00
CCAP	Corresp. w/state senator & representative, IEPA, mtgs w/subcontractors; review VI regs				
Jones		Senior Project Manager	15.00	117.00	\$1,755.00
CCA-Field	Several visits to Site, site inspections and attempts to contact client				
Laros		Geologist III	42.00	102.00	\$4,284.00
CCAP	Mtg & corresp w/subs, corresp w/client, client attorney, state rep, discuss CAP & GW ord w/IEPA				
Laros		Geologist III	36.00	102.00	\$3,672.00
CCAP	Review GW levels, prepare CAP Status Report, timeline for state rep; prepare notification letters				
Laros		Geologist III	18.00	102.00	\$1,836.00
TACO 2 or 3	Data review, conduct R26 modeling for notification purposes				

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			
Laros	Geologist III	20.00	102.00	\$2,040.00
CCAP-Budget	Prepare CAP Budget amendment			
Laros	Geologist III	16.00	102.00	\$1,632.00
CCA-Field	Collect landfill profile sample, pack & ship to lab, corresp. w/landfill, lab and client, fill out landfill certs			
Laros	Geologist III	18.00	102.00	\$1,836.00
CCAP	Review VI assessment regulations			
Walsh	Senior Scientist	8.00	99.00	\$792.00
CCAP-Budget	Assist w/budget amendment preparation			
Walsh	Senior Scientist	42.00	99.00	\$4,158.00
CA-Pay	Correspond w/client & Site tenants regarding corrective action; prepare two add'l reimbursements			
Walsh	Senior Scientist	8.00	99.00	\$792.00
CCA-Field	Well measurements			
Phillips	Draftperson/CAD IV	8.00	64.00	\$512.00
CCAP	Misc figures for client and CAP Status Report			
Smith	Technician I	28.00	52.00	\$1,456.00
CCAP	Well measurements, equipment calibration, site security/inspections			
Glenn	Senior Admin. Assistant	24.00	52.00	\$1,248.00
CA-Pay	Assist w/reimbursement prep; send client sign pages; copy, bind & ship 2 reimbursement packages;			

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			

Glenn	Senior Admin. Assistant	12.00	52.00	\$624.00
CCAP	Copy/bind/ship CAP Budget amend/Status to client/IEPA; send client sign pages; misc. mailings			

Glenn	Senior Admin. Assistant	12.00	52.00	\$624.00
CACR	Copy and ship certified notification letters, CACR and recorded NFR documents to client and IEPA			

*Refer to the applicable Maximum Payment Amounts document.

Total of Consulting Personnel Costs	\$39,777.00
--	--------------------

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

I hereby certify that I intend to seek payment from the UST Fund for costs incurred while performing corrective action activities for Leaking UST incident 931126 20021577. I further certify that the costs set forth in this budget are for necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57, no costs are included in this budget that are not described in the corrective action plan, and no costs exceed Subpart H: Maximum Payment Amounts, Appendix D Sample Handling and Analysis amounts, and Appendix E Personnel Titles and Rates of 35 Ill. Adm. Code 732 or 734. I further certify that costs ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606 or 734.630 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

- Costs associated with ineligible tanks.
- Costs associated with site restoration (e.g., pump islands, canopies).
- Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).
- Costs incurred prior to IEMA notification.
- Costs associated with planned tank pulls.
- Legal fees or costs.
- Costs incurred prior to July 28, 1989.
- Costs associated with installation of new USTs or the repair of existing USTs.

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OCT 07 2013

Owner/Operator: Webb & Sons, Inc.

Authorized Representative: Doris Webb

Title: EPA/BOL

Signature: *Doris Webb*

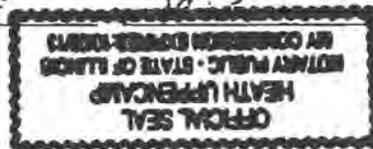
Date: 10/2/13

Subscribed and sworn to before me the 2nd day of October, 2013.

[Signature]

Seal:

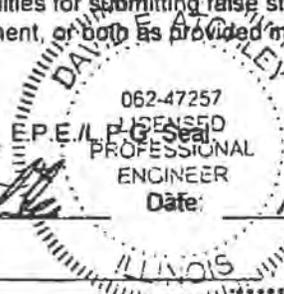
(Notary Public)



In addition, I certify under penalty of law that all activities that are the subject of this plan, budget, or report were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan, budget, or report and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the plan, budget, or report has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

L.P.E./L.P.G.: David Atchley

L.P.E./L.P.G. Signature: *David Atchley*



Date: 10/4/13

Subscribed and sworn to before me the 4th day of October, 2013.

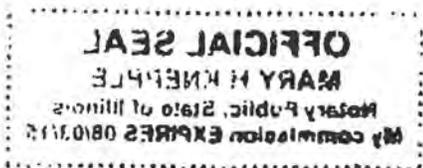
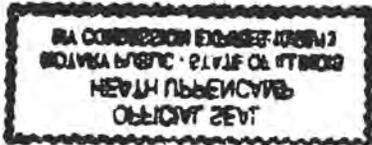
Mary H. Knepple

Seal:

(Notary Public)



The Illinois EPA is authorized to require this information under 415 ILCS 5/1. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder.



Form **W-9**
(Rev. December 2011)
Department of the Treasury
Internal Revenue Service

**Request for Taxpayer
Identification Number and Certification**

Give Form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)
Webb & Sons, Inc.

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
 Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate
 Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____
 Other (see instructions) ▶ _____

Address (number, street, and apt. or suite no.)
1201 DeWitt Avenue

City, state, and ZIP code
Mattoon, IL 61938

List account number(s) here (optional)

Requester's name and address (optional)

Exempt payee

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

			-					
--	--	--	---	--	--	--	--	--

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number

3	7	-	1	2	5	0	0	7	3
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ *Wesley Stodick*

Date ▶ *7-16-13*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



Office of the Illinois
State Fire Marshal

General Office

217-785-0969

FAX

217-782-1062

Divisions

ARSON INVESTIGATION

217-782-9118

BOILER and PRESSURE

VESSEL SAFETY

217-782-2688

FIRE PREVENTION

217-785-4714

MANAGEMENT SERVICES

217-782-8889

INFIRS

217-788-8828

HUMAN RESOURCES

217-786-1028

PERSONNEL STANDARDS

and EDUCATION

217-782-4543

PETROLEUM and

CHEMICAL SAFETY

217-785-6878

PUBLIC INFORMATION

217-789-1021

WEB SITE

www.state.il.us/osfm

CERTIFIED MAIL - RECEIPT REQUESTED #7002 1000 0004 8741 6800

CORRECTED

July 12, 2002

Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, IL 61938

In Re:

Facility No. 4-028243
IEMA Incident No. 93-1126
Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, Coles Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on June 12, 2002 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

It has been determined that you are eligible to seek payment of costs in excess of \$15,000. The costs must be in response to the occurrence referenced above and associated with the following tanks:

Eligible Tanks

- Tank 1 10,000-gallon Diesel
- Tank 2 5,000-gallon Kerosene
- Tank 3 2,000-gallon Heating Oil
- Tank 4 2,000-gallon Diesel
- Tank 5 4,000-gallon Diesel
- Tank 6 1,000-gallon Diesel

You must contact the Illinois Environmental Protection Agency to receive a packet of Agency billing forms for submitting your request for payment.

An owner or operator is eligible to access the Underground Storage Tank Fund if the eligibility requirements are satisfied:

1. Neither the owner nor the operator is the United States Government,
2. The tank does not contain fuel that is exempt from the Motor Fuel Tax Law,
3. The costs were incurred as a result of a confirmed release of any of the following substances:

"Fuel", as defined in Section 1.19 of the Motor Fuel Tax Law

Aviation fuel

1035 Stevenson Drive • Springfield, Illinois 62703-4259

Printed on Recycled Paper

Heating oil

Kerosene

Used oil, which has been refined from crude oil used in a motor vehicle, as defined in Section 1.3 of the Motor Fuel Tax Law.

4. The owner or operator registered the tank and paid all fees in accordance with the statutory and regulatory requirements of the Gasoline Storage Act.
5. The owner or operator notified the Illinois Emergency Management Agency of a confirmed release, the costs were incurred after the notification and the costs were a result of a release of a substance listed in this Section. Costs of corrective action or indemnification incurred before providing that notification shall not be eligible for payment.
6. The costs have not already been paid to the owner or operator under a private insurance policy, other written agreement, or court order.
7. The costs were associated with "corrective action".

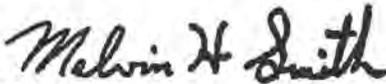
This constitutes the final decision as it relates to your eligibility and deductibility. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision to the Illinois Pollution Control Board (Board), pursuant to Section 57.9 (c) (2). An owner or operator who seeks to appeal the decision shall file a petition for a hearing before the Board within 35 days of the date of mailing of the final decision, (35 Illinois Administrative Code 105.102(a) (2)).

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620

If you have any questions regarding the eligibility or deductibility determinations, please contact our Office at (217) 785-1020 or (217) 785-5878 and ask for Deanne Lock.

Sincerely,



Melvin H. Smith
Division Director
Division of Petroleum and Chemical Safety

MHS/dl

cc: IEPA
Facility File

Page 2

It is recommended that you work with the local union hall(s) to determine which corrective action activities require a PLA.

All future correspondence must be submitted to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact James R. Malcom, III at 217-524-9140.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:jrm

cc: MSA
BOL File

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board, Clerk
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620



0290255079 – Coles County
Webb & Sons, Inc.
Incident # 931126 & 20021577
Leaking UST Technical File

February 14, 2017

James Malcom
Illinois Environmental Protection Agency
Bureau of Land
Leaking Underground Storage Tank Section
P. O. Box 19276
Springfield, IL 62794-9276

**RE: Corrective Action Budget Amendment
LPC # 0290255079 - Coles County
Mattoon / Webb & Sons, Inc.
1201 DeWitt Avenue
LUST Incident No.: 931126/021577
LUST Technical File**

Mr. Malcom:

On behalf of Ms. Doris Webb, MSA Professional Services (MSA) is submitting the enclosed High Priority Corrective Action Plan (CAP) and Budget Amendment for the above referenced LUST incident. The CAP was approved with modifications in 2006. Execution of corrective action at the site was partially completed in December 2014. Final corrective action measures were developed based on results of excavation soil sampling and a final round of groundwater sampling. Corrective action had been delayed for several years primarily because firms MSA had previously contracted with (excavators, landfills, etc.) were no longer in business. New contractors had to be chosen and hired. The newly selected landfill had different profile requirements from the former facility, thus warranting more analytical testing. In addition, as no firm was able to provide a price for pavement within the published maximum payment amounts, three bids for placement of asphalt pavement were procured and are attached. It was a time-consuming process.

The amendment requests costs associated with:

- project management
- additional Tier 2 assessment
- correspondence with the client and IEPA
- correspondence and meetings with excavation contractors and landfills
- correspondence with multiple paving contractors to obtain bid documents
- groundwater level measurements
- landfill profile sample collection and analysis
- review of vapor intrusion assessment regulations
- status report preparation
- CAP/budget amendment preparation
- two additional reimbursement submittals.

Offices in Illinois, Iowa, Minnesota, and Wisconsin

201 W. SPRINGFIELD AVENUE, SUITE 400 • CHAMPAIGN, IL 61820
(217) 352-6976 • (877) 352-0081 • FAX: (217) 356-0570
www.msa-ps.com

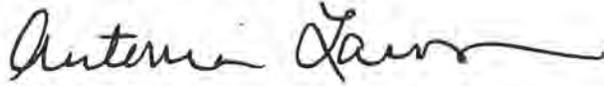
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FEB 15 2017
IEPA/BOL

Page 2

James Malcom
February 14, 2017

If you have any questions, or need additional information, please contact me at (217) 403-3381.

Respectfully,
MSA Professional Services



Toni Laros
Environmental Professional

Enclosures

cc: *Doris Webb*
File

**Illinois Environmental Protection Agency
Leaking Underground Storage Tank Program
Corrective Action Plan Amendment**

Site Location

Webb & Sons, Inc.
1201 DeWitt Avenue
Mattoon, Illinois 61938
Coles County
IEMA Incident No. 20021577/931126

Prepared For

Doris Webb
8687 East 150 North
Lerna, Illinois 62440

Prepared by

MSA Professional Services
201 West Springfield, Suite 400
Champaign, Illinois 61820
Phone: 217.352.6976
Fax: 217.356.0570

MSA Project No. 12621001

February 2017

MSA

PROFESSIONAL SERVICES

RECEIVED

FEB 15 2017

IEPA/BOL

TABLE OF CONTENTS

1.0 LUST Incident History 1
2.0 Post-Excavation Activities Summary..... 2
 2.1 Groundwater Sampling 2
 2.2 Groundwater Analytical Results..... 2
3.0 Method of Corrective Action..... 2
 3.1 Industrial/Commercial Land Use Restriction 2
 3.2 Tier 2 Assessment 3
 3.3 Groundwater Use Ordinance 3
 3.4 Highway Authority Agreement 3
4.0 Paving at the Site..... 4
5.0 Current and Future Use of Site..... 4
6.0 Water Supply Well Survey 4
7.0 Conclusions 4

APPENDICES

- Appendix A – IEPA Corrective Action Plan Form
- Appendix B – Figures
- Appendix C –Tier 2 Comparison and Analytical Results Tables
- Appendix D - Laboratory Analytical Reports and Certification for Chemical Analysis
- Appendix E – MW3 Replacement Soil Boring Log and Monitoring Well Completion Report
- Appendix F – Tier 2 Calculation Spreadsheets
- Appendix G – Groundwater Use Ordinance
- Appendix H – Highway Authority Agreement Template
- Appendix I – Paving Contractor Bids
- Appendix J – Corrective Action Budget Amendment

1.0 LUST Incident History

Doris Webb owned the former service station, designated as Webb & Sons, Inc., located at 1201 DeWitt Avenue in Mattoon, Illinois. The Site is located at the southwest corner of the DeWitt Avenue and 12th Street intersection. It is approximately 0.5 acres in size and is currently used by an electrical service company, which operates out of the 1,800 square foot building at the southeast end of the Site. The former station building in the center of the Site has been removed.

The Site contained seven underground storage tanks (USTs); former UST locations and Site features are depicted in Figure 1 of Appendix B. A release was detected at the Site and reported to the IEMA on May 3, 1993. All tanks at the Site were reportedly taken out of service in January 1994. All tanks were removed from the Site in October 2002. The resulting incident number 20021577 is a re-reporting of incident number 931126.

Excavation activities at the Site in December 2014 were successful in eliminating the majority of the contamination above Tier 1 remediation objectives (RO). Only one sample from this excavation exceeded the Tier 1 soil remediation objectives. Sample W13 exceeded the soil component of the groundwater ingestion exposure route (SCGW) RO for benzene and the construction worker (CW) inhalation RO for xylenes. Although benzene and xylene concentrations at W13 do meet the calculated Tier 2 RO for those exposure routes, the proximity to the east property boundary will require that off-site contamination be addressed (see Section 3.0).

Remaining locations with soil contamination exceeding Tier 1 RO outside the 2014 excavation limits include:

W3-8
MW1-8
B1-6
B9-8

Ingestion and industrial/commercial inhalation soil ROs are not exceeded at the Site.

Results of recent groundwater sampling indicate that groundwater remediation objectives (GRO) are not exceeded at the Site.

The Corrective Action Plan (CAP) and Budget, prepared and submitted by HDC Engineering (HDC) in August 2006, was approved by the IEPA in September 2006. MSA Professional Services (MSA) acquired HDC in November 2010. A Corrective Action Status Report summarizing excavation and soil sampling activities was submitted by MSA in February 2015. This CAP and Budget amendment summarizes groundwater sampling conducted since excavation activities were completed, and presents updated corrective action methods to address remaining contamination at the Site. This amendment also includes additional project costs, along with three bids for re-paving areas disturbed during early action and corrective action.

2.0 Post-Excavation Activities Summary

2.1 Groundwater Sampling

Corrective Action excavation activities were completed in December 2014. Monitoring well MW3 was within the excavation footprint and required removal at that time.

On May 19, 2016, MSA installed replacement well MW3 in native material at the edge of the excavation area. The well borehole was advanced to 15 feet as close as possible to the location of original well MW3 (see Figure 1 in Appendix A). Soil was collected from the borehole initially using direct push technology in order to observe and log the borehole lithology. The well was then constructed using a hollow stem auger. On June 1, 2016 the well was surveyed, and developed by purging approximately 10 well volumes using a submersible electric pump. The well construction diagram and boring log are provided in Appendix E.

Replacement well MW3 and the other six monitoring wells on and off the Site were sampled on June 21, 2016. Prior to sampling, water level measurements were taken at all seven well locations, and approximately three (3) well volumes were purged from each well using a submersible electric pump. Associated groundwater elevation and flow data are presented in Figure 2. Representative water samples from each well were collected utilizing a dedicated disposable bailer and following USEPA SW-846 protocols. The samples and a field blank were placed on ice and shipped via overnight courier to Prairie Analytical Systems, Inc. of Springfield, Illinois under standard chain of custody procedures for analysis of BTEX compounds. PNA compounds were excluded as they were not detected during the Site Investigation phase.

Soil cuttings and purge water were containerized in 55-gallon drums on site. One drum each of soil and purge water were removed by a licensed waste company for off-site disposal. The waste manifest will be included with the supporting invoice in a forthcoming reimbursement.

2.2 Groundwater Analytical Results

Complete analytical results in tabular format are included in Appendix C. Laboratory reports and certification are provided in Appendix D. Analytical results from the post-excavation groundwater samples demonstrate that BTEX contamination was not detected at the wells on or off the Site. The excavation of soil at the Site was successful in eliminating BTEX contamination above Tier 1 GRO.

3.0 Method of Corrective Action

3.1 Industrial/Commercial Land Use Restriction

An institutional control, in the form of an industrial/commercial (I/C) land use restriction, will be placed on the property. The institutional control will prohibit the use of the

property for residential purposes and allow for the use of I/C values in Tier 1 and Tier 2 assessments.

3.2 Tier 2 Assessment

As approved in the 2006 CAP, Tier 2 soil remediation objectives for contaminants of concern exceeding Tier 1 objectives at the Site were developed using an I/C land use scenario. The groundwater table exists at approximately eight (8) feet below land surface (bls). Remaining contamination is summarized in Figure 3 of Appendix B. As of the December 2014 excavation, remaining Tier 1 exceedances below the groundwater table include W3, MW1, and B9, and are addressed by a groundwater ordinance (see Section 3.3).

Tier 1 soil exceedances above the groundwater table remain at B1 (SCGW RO for benzene) and W13 (SCGW RO for benzene and CW inhalation RO for xylenes). The benzene contamination at B1 and W13 is addressed by meeting the Tier 2 RO. The location of W13 at the property boundary, however, necessitates the use of a highway authority agreement discussed below in Section 3.4.

The Tier 2 CW inhalation RO for xylenes was calculated using SSL Equation S5: Remediation Objective for Noncarcinogenic Contaminants: Construction Worker. Equation S5 resulted in a Tier 2 RO of 1,148 mg/kg (1,148,000 ug/kg). This site specific RO for xylenes, however, exceeds the published Csat for xylenes of 110 mg/kg (110,000 ug/kg). In cases in which the Tier 2 RO exceeds the published Csat for a constituent, the Csat is used as the Tier 2 RO. As such, the xylenes concentration at W13 (20,700 ug/kg) is within the Tier 2 RO for the CW inhalation exposure route. Tier 2 calculations for xylenes are presented in Appendix F.

A table comparing soil contaminant concentrations and Tier 2 RO is presented in Appendix C.

3.3 Groundwater Use Ordinance

Although the soil component of groundwater ingestion exposure route is exceeded at the Site, the risk associated with this exceedance is addressed by City of Mattoon groundwater use ordinance # 2010-5286. The ordinance was approved by IEPA on June 11, 2010 and is attached as Appendix G.

3.4 Highway Authority Agreement

Due to suspected soil contamination above Tier 1 objectives under the 12th Street ROW (beyond W13, adjacent to the east property boundary), a Highway Authority Agreement (HAA) will be pursued with the City of Mattoon. The HAA will stipulate handling requirements pertaining to the disturbance of soil under the ROW that is contaminated above Tier 1 objectives. Additionally the HAA will effectively prohibit the use of groundwater under the ROW that is contaminated above Tier 1 objectives. The HAA is an institutional control that will be recorded as part of the NFR letter on the chain-of-title of the Webb and Sons property. The area covered by the HAA is shown in Figure 4. A template for the HAA is provided in Appendix H.

4.0 Paving at the Site

As approved in the 2006 CAP, re-paving of excavated areas at the Site is planned. Areas to be re-paved are shown in Figure 5. While costs for asphalt paving were approved in the 2006 CAP budget, contractors were not able to match the IEPA maximum allowable payment amounts. As such, MSA obtained three bids for this work. The bid summary sheet and contractor certification forms are provided for review in Appendix I. Paving will be scheduled following approval of the bids included in this CAP submittal.

5.0 Current and Future Use of Site

The Site is currently industrial/commercial and it is anticipated that the future use will continue to be industrial/commercial. This will allow the use of I/C Tier 2 RO at the Site.

6.0 Water Supply Well Survey

Well search records and maps were included in the Site Investigation Completion Report. There are no community/public wells and three private wells within approximately 2,500 feet of the Site.

7.0 Conclusions

This CAP and Budget amendment are being submitted for approval. The budget amendment includes costs related to CAP amendment preparation including Tier 2 assessments, updating tables, drafting of CAP figures, paving research and bid preparation, subcontractor and IEPA correspondence, and report preparation. Costs were also included for preparation of two additional reimbursement packages. The budget amendment is provided in Appendix J.

A CACR documenting remaining Corrective Action Activities will follow once paving is complete and the HAA is executed.

Appendix A

IEPA Corrective Action Plan Form



Bureau of Land • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

The Agency is authorized to require this information under Section 4 and Title XVI of the Environmental Protection Act (415 ILCS 5/4, 5/57 – 57.17). Failure to disclose this information may result in a civil penalty of not to exceed \$50,000.00 for the violation and an additional civil penalty of not to exceed \$10,000.00 for each day during which the violation continues (415 ILCS 5/42). Any person who knowingly makes a false material statement or representation, orally or in writing, in any label, manifest, record, report, permit, or license, or other document filed, maintained or used for the purpose of compliance with Title XVI commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony (415 ILCS 5/44 and 57.17). This form has been approved by the Forms Management Center.

**Leaking Underground Storage Tank Program
Corrective Action Plan**

A. Site Identification

IEMA Incident # (6- or 8-digit): 20021577 IEPA LPC# (10-digit): 0290255079
Site Name: Webb & Sons, Inc.
Site Address (Not a P.O. Box): 1201 DeWitt Avenue
City: Mattoon County: Coles ZIP Code: 61938

B. Site Information

- 1. Will the owner or operator seek reimbursement from the Underground Storage Tank Fund? Yes No
- 2. If yes, is the budget attached? Yes No
- 3. Is this an amended plan? Yes No
- 4. Identify the material(s) released: gasoline

5. This Corrective Action Plan is submitted pursuant to:

- a. 35 Ill. Adm. Code 731.166
- b. 35 Ill. Adm. Code 732.404
- c. 35 Ill. Adm. Code 734.335

The material released was:

- petroleum
- hazardous substance (see Environmental Protection Act Section 3.215)

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C. Proposed Methods of Remediation

- 1. Soil I/C land use restriction, Tier 2 analysis, excavation, HAA
- 2. Groundwater I/C land use restriction, groundwater use ordinance, HAA

D. Soil and Groundwater Investigation Results

(for incidents subject to 35 Ill. Adm. Code 731 only or 732 that were classified using Method One or Two, if not previously provided)

Provide the following:

- 1. Description of investigation activities performed to define the extents of soil and/or groundwater contamination;
- 2. Analytical results, chain-of-custody forms, and laboratory certifications;
- 3. Tables comparing analytical results to applicable remediation objectives;

4. Boring logs; Electronic Filing: Received, Clerk's Office 6/1/2017
5. Monitoring well logs; and
6. Site maps meeting the requirements of 35 Ill. Adm. Code 732.110(a) or 734.440 and showing:
- a. Soil sample locations;
 - b. Monitoring well locations; and
 - c. Plumes of soil and groundwater contamination.

E. Technical Information - Corrective Action Plan

Provide the following:

1. Executive summary identifying the objectives of the corrective action plan and the technical approach to be utilized to meet such objectives;
 - a. The major components (e.g., treatment, containment, removal) of the corrective action plan;
 - b. The scope of the problems to be addressed by the proposed corrective action; and
 - c. A schedule for implementation and completion of the plan;
2. Identification of the remediation objectives proposed for the site;
3. A description of the remedial technologies selected:
 - a. The feasibility of implementing the remedial technologies;
 - b. Whether the remedial technologies will perform satisfactorily and reliably until the remediation objectives are achieved; and
 - c. A schedule of when the technologies are expected to achieve the applicable remediation objectives;
4. A confirmation sampling plan that describes how the effectiveness of the corrective action activities will be monitored during their implementation and after their completion;
5. A description of the current and projected future uses of the site;
6. A description of engineered barriers or institutional controls that will be relied upon to achieve remediation objectives:
 - a. an assessment of their long-term reliability;
 - b. operating and maintenance plans; and
 - c. maps showing area covered by barriers and institutional controls;
7. The water supply well survey:
 - a. Map(s) showing locations of community water supply wells and other potable wells and the setback zone for each well;
 - b. Map(s) showing regulated recharge areas and wellhead protection areas;
 - c. Map(s) showing the current extent of groundwater contamination exceeding the most stringent Tier 1 remediation objectives;
 - d. Map(s) showing the modeled extent of groundwater contamination exceeding the most stringent Tier 1 remediation objectives;
 - e. Tables listing the setback zone for each community water supply well and other potable water supply wells;
 - f. A narrative identifying each entity contacted to identify potable water supply wells, the name and title of each person contacted, and any field observations associated with any wells identified; and
 - g. A certification from a Licensed Professional Engineer or Licensed Professional Geologist that the survey was conducted in accordance with the requirements and that documentation submitted includes information obtained as a result of the survey (certification of this plan satisfies this requirement);

8. Appendices: **Electronic Filing: Received, Clerk's Office 6/1/2017**

- a. References and data sources report that are organized; and
 - b. Field logs, well logs, and reports of laboratory analyses;
9. Site map(s) meeting the requirements of 35 Ill. Adm. Code 732.110(a) or 734.440;
10. Engineering design specifications, diagrams, schematics, calculations, manufacturer's specifications, etc.;
11. A description of bench/pilot studies;
12. Cost comparison between proposed method of remediation and other methods of remediation;
13. For the proposed Tier 2 or 3 remediation objectives, provide the following:
- a. The equations used;
 - b. A discussion of how input variables were determined;
 - c. Map(s) depicting distances used in equations; and
 - d. Calculations; and
14. Provide documentation to demonstrate the following for alternative technologies:
- a. The proposed alternative technology has a substantial likelihood of successfully achieving compliance with all applicable regulations and remediation objectives;
 - b. The proposed alternative technology will not adversely affect human health and safety or the environment;
 - c. The owner or operator will obtain all Illinois EPA permits necessary to legally authorize use of the alternative technology;
 - d. The owner or operator will implement a program to monitor whether the requirements of subsection (14)(a) have been met;
 - e. Within one year from the date of Illinois EPA approval, the owner or operator will provide to the Illinois EPA monitoring program results establishing whether the proposed alternative technology will successfully achieve compliance with the requirements of subsection (14)(a); and
 - f. Demonstration that the cost of alternative technology will not exceed the cost of conventional technology and is not substantially higher than at least two other alternative technologies, if available and technically feasible.

F. Exposure Pathway Exclusion

Provide the following:

1. A description of the tests to be performed in determining whether the following requirements will be met:
 - a. Attenuation capacity of the soil will not be exceeded for any of the organic contaminants;
 - b. Soil saturation limit will not be exceeded for any of the organic contaminants;
 - c. Contaminated soils do not exhibit any of the reactivity characteristics of hazardous waste per 35 Ill. Adm. Code 721.123;
 - d. Contaminated soils do not exhibit a pH \leq 2.0 or \geq 12.5; and
 - e. Contaminated soils which contain arsenic, barium, cadmium, chromium, lead, mercury, or selenium (or their associated salts) do not exhibit any of the toxicity characteristics of hazardous waste per 35 Ill. Adm. Code 721.124.
2. A discussion of how any exposure pathways are to be excluded.

G. Signatures

All plans, budgets, and reports must be signed by the owner or operator and list the owner's or operator's full name, address, and telephone number.

UST Owner or Operator

Name Webb & Sons, Inc.
Contact Doris Webb
Address 8687 E. 150 North
City Lerna
State Illinois
Zip Code 62440
Phone (217) 235-2874
Signature x Doris Webb
Date 1-26-17

Consultant

Company MSA Professional Services
Contact Toni Laros
Address 201 W. Springfield Ave., Suite 400
City Champaign
State Illinois
Zip Code 61820
Phone (217) 352-6976
Signature Antonio Laros
Date 2/10/17

I certify under penalty of law that all activities that are the subject of this plan were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in this plan has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 731, 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

Licensed Professional Engineer or Geologist

L.P.E. or L.P.G. Seal

Name David Atchley
Company MSA Professional Services
Address 201 W. Springfield Avenue, Suite 400
City Champaign
State Illinois
Zip Code 61820
Phone (217) 352-6976
Ill. Registration No. 062-47257
License Expiration Date 11/30/17
Signature David Atchley
Date 2/10/17



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Appendix B

Figures

Appendix C

Tier 2 Comparison and Analytical Results Tables

Appendix D

Laboratory Analytical Reports
and Certification for Chemical Analysis



Thursday, June 30, 2016

Ms. Toni Laros
MSA Professional Services
201 West Springfield Ave. 4th Floor
Champaign, IL 61820-0140

TEL: (217) 352-6976

FAX: NA

RE: Webb & Sons Mattoon, Il

PAS WO: 16F0579

Prairie Analytical Systems, Inc. received 8 sample(s) on 6/23/2016 for the analyses presented in the following report.

All applicable quality control procedures met method specific acceptance criteria unless otherwise noted.

This report shall not be reproduced, except in full, without the prior written consent of Prairie Analytical Systems, Inc.

If you have any questions, please feel free to contact me at (217) 753-1148.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kristen Potter".

Kristen A. Potter
Project Manager

Certifications: NELAP/NELAC - IL #100323

1210 Capital Airport Drive	*	Springfield, IL 62707	*	1.217.753.1148	*	1.217.753.1152 Fax
9114 Virginia Road Suite #112	*	Lake in the Hills, IL 60156	*	1.847.651.2604	*	1.847.458.0538 Fax

Prairie Analytical Systems, Inc.

Date: 6/30/2016

LABORATORY RESULTS

Client: MSA Professional Services
 Project: Webb & Sons Mattoon, IL
 Client Sample ID: MW 0
 Collection Date: 6/21/16 9:15

Lab Order: 16F0579
 Lab ID: 16F0579-01
 Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
Volatile Organic Compounds by GC-MS									
*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		89 %		67-133		6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		96 %		85-125		6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS
Surrogate: Toluene-d8		99 %		81-116		6/29/16 10:27	6/29/16 18:48	SW8260B Re	JLS

Client Sample ID: MW 1
 Collection Date: 6/21/16 9:40

Lab ID: 16F0579-02
 Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
Volatile Organic Compounds by GC-MS									
*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		87 %		67-133		6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		96 %		85-125		6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS
Surrogate: Toluene-d8		99 %		81-116		6/29/16 10:27	6/29/16 19:22	SW8260B Re	JLS

Client Sample ID: MW 2
 Collection Date: 6/21/16 10:05

Lab ID: 16F0579-03
 Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
Volatile Organic Compounds by GC-MS									
*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		87 %		67-133		6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		98 %		85-125		6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS
Surrogate: Toluene-d8		99 %		81-116		6/29/16 10:27	6/29/16 19:56	SW8260B Re	JLS

Client Sample ID: MW 3
 Collection Date: 6/21/16 10:25

Lab ID: 16F0579-04
 Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
Volatile Organic Compounds by GC-MS									
*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		93 %		67-133		6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		93 %		85-125		6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS
Surrogate: Toluene-d8		97 %		81-116		6/29/16 10:27	6/29/16 20:30	SW8260B Re	JLS

Prairie Analytical Systems, Inc.

Date: 6/30/2016

LABORATORY RESULTS

Client: MSA Professional Services
Project: Webb & Sons Mattoon, IL
Client Sample ID: MW 3
Collection Date: 6/21/16 10:25

Lab Order: 16F0579
Lab ID: 16F0579-04
Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
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Client Sample ID: MW 4
Collection Date: 6/21/16 10:40

Lab ID: 16F0579-05
Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
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Volatile Organic Compounds by GC-MS

*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		91 %			67-133	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		93 %			85-125	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS
Surrogate: Toluene-d8		98 %			81-116	6/29/16 10:27	6/29/16 21:04	SW8260B Re	JLS

Client Sample ID: MW 5
Collection Date: 6/21/16 11:10

Lab ID: 16F0579-06
Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
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Volatile Organic Compounds by GC-MS

*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		89 %			67-133	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		95 %			85-125	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS
Surrogate: Toluene-d8		97 %			81-116	6/29/16 10:27	6/29/16 21:38	SW8260B Re	JLS

Client Sample ID: MW 6
Collection Date: 6/21/16 11:30

Lab ID: 16F0579-07
Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
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Volatile Organic Compounds by GC-MS

*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		87 %			67-133	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		97 %			85-125	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS
Surrogate: Toluene-d8		116 %	S2		81-116	6/29/16 10:27	6/29/16 22:12	SW8260B Re	JLS

Client Sample ID: MW 7
Collection Date: 6/21/16 11:55

Lab ID: 16F0579-08
Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
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Volatile Organic Compounds by GC-MS

*Benzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
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Prairie Analytical Systems, Inc.

Date: 6/30/2016

LABORATORY RESULTS

Client: MSA Professional Services
 Project: Webb & Sons Mattoon, II
 Client Sample ID: MW 7
 Collection Date: 6/21/16 11:55

Lab Order: 16F0579
 Lab ID: 16F0579-08
 Matrix: Water

Analyses	Result	Limit	Qual	Units	DF	Date Prepared	Date Analyzed	Method	Analyst
*Ethylbenzene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
*Toluene	U	0.00500		mg/L	1	6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
*Xylenes (total)	U	0.0150		mg/L	1	6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
Surrogate: 4-Bromofluorobenzene		89 %		67-133		6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
Surrogate: 1,2-Dichloroethane-d4		95 %		85-125		6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS
Surrogate: Toluene-d8		98 %		81-116		6/29/16 10:27	6/29/16 22:46	SW8260B Re	JLS

Prairie Analytical Systems, Inc.

Date: 6/30/2016

LABORATORY RESULTS

Client: MSA Professional Services
 Project: Webb & Sons Mattoon, IL

Lab Order: 16F0579

Volatile Organic Compounds by GC-MS - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

Batch Z003590 - SW 5030B VOA

Blank (Z003590-BLK1)

Prepared & Analyzed: 06/29/201

Benzene	U	0.00500	mg/L							
Ethylbenzene	U	0.00500	mg/L							
Toluene	U	0.00500	mg/L							
Xylenes (total)	U	0.0150	mg/L							
Surrogate: 4-Bromofluorobenzene	0.0441		mg/L	0.050000		88	67-133			
Surrogate: 1,2-Dichloroethane-d4	0.0461		mg/L	0.050000		92	85-125			
Surrogate: Toluene-d8	0.0483		mg/L	0.050000		97	81-116			

LCS (Z003590-BS1)

Prepared & Analyzed: 06/29/201

Benzene	0.0453	0.00500	mg/L	0.050000		91	78-122			
Ethylbenzene	0.0444	0.00500	mg/L	0.050000		89	78-133			
Toluene	0.0450	0.00500	mg/L	0.050000		90	77-121			
Xylenes (total)	0.131	0.0150	mg/L	0.15000		87	70-120			
Surrogate: 4-Bromofluorobenzene	0.0482		mg/L	0.050000		96	67-133			
Surrogate: 1,2-Dichloroethane-d4	0.0488		mg/L	0.050000		97	85-125			
Surrogate: Toluene-d8	0.0465		mg/L	0.050000		93	81-116			

Prairie Analytical Systems, Inc.

Date: 6/30/2016

LABORATORY RESULTS

Client: MSA Professional Services
Project: Webb & Sons Mattoon, IL

Lab Order: 16F0579

Notes and Definitions

- S2 Surrogate recovery exceeds the acceptance criteria due to matrix interference, but there is no observable concentration in associated analyte(s).
- * NELAC certified compound.
- U Analyte not detected (i.e. less than RL or MDL).

Chain of Custody Record

Central IL 1210 Capital Airport Drive - Springfield, IL 62707-8490 - Phone (217) 753-1148 - Facsimile (217) 753-1152
 Chicago Office - PO Box 2116 - Crystal Lake, IL 60039-2116 - Phone (847) 651-2804 - Facsimile (847) 458-9880

www.prairieanalytical.com



Client	MSA Professional Services					Analysis and/or method Requested					Reporting		
Address	201 W. Springfield Avenue Suite 400					Analysis and/or method Requested BTEX							TACO
City, State Zip Code	Champaign IL 61820												___ Resid
Phone / Facsimile No.	217.352.6976 / 217.352.0570												___ Ind/Comm
Client Project	Webb & Sons												CALM
Location	Mattoon, Illinois												___ A ___ B
Sampler(s) / Phone	Toni Laros / 217.403.3381												___ C
Turnaround Time	Standard <input checked="" type="checkbox"/> Rush <input type="checkbox"/> Date Required:												RISC
P.O. # or Invoice To	12621001												___ Resid
Contact Person	Toni Laros: tlaros@msa-ps.com												___ Indust
Sample Description	Sampling		Matrix Code	Total # of Containers	Sample								
	Date	Time			Comp	Grab							
MW0	6/21/16	0915	GW	2		✓							
MW1	6/21/16	0940	GW	2		✓							
MW2	6/21/16	1005	GW	2		✓							
MW3	6/21/16	1025	GW	2		✓							
MW4	6/21/16	1040	GW	2		✓							
MW5	6/21/16	1110	GW	2		✓							
MW6	6/21/16	1130	GW	2		✓							
MW7	6/21/16	1155	GW	2		✓							
M - Matrix Code		A - Aqueous		DW - Drinking Water		GW - Groundwater		NA - Non-aqueous Liquid		S - Solids		O - Other (Specify)	
Relinquished By			Date	Time	Received By			Date	Time	Method of Shipment			
<i>Antonia Laros</i>			6/22/16	3:00 pm	<i>[Signature]</i>			6-23-16	11:10	UPS			
Special Instructions:					Q/C Level		On Wet Ice		Proper Preservation		Temperature (°C)		
					1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>		Y <input type="checkbox"/> N <input type="checkbox"/>		Y <input type="checkbox"/> N <input type="checkbox"/>		5.3		

Page 7 of 7



Illinois Environmental Protection Agency

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The Agency is authorized to require this information under Section 4 and Title XVI of the Environmental Protection Act (415 ILCS 5/4, 5/57 – 57.17). Failure to disclose this information may result in a civil penalty of not to exceed \$50,000.00 for the violation and an additional civil penalty of not to exceed \$10,000.00 for each day during which the violation continues (415 ILCS 5/42). Any person who knowingly makes a false material statement or representation, orally or in writing, in any label, manifest, record, report, permit, or license, or other document filed, maintained or used for the purpose of compliance with Title XVI commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony (415 ILCS 5/44 and 57.17). This form has been approved by the Forms Management Center.

Leaking Underground Storage Tank Program Laboratory Certification for Chemical Analysis

A. Site Identification

IEMA Incident # (6- or 8-digit): 20021577 IEPALPC# (10-digit): 0290255079

Site Name: Webb & Sons, Inc.

Site Address (Not a P.O. Box): 1201 DeWitt Avenue

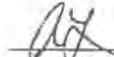
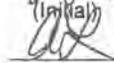
City: Mattoon County: Coles ZIP Code: 61938

Leaking UST Technical File

B. Sample Collector

I certify that:

1. Appropriate sampling equipment/methods were utilized to obtain representative samples.
2. Chain-of-custody procedures were followed in the field.
3. Sample integrity was maintained by proper preservation.
4. All samples were properly labeled.


(Initial)

(Initial)

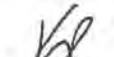
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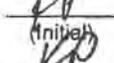
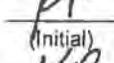
(Initial)

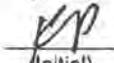
C. Laboratory Representative

I certify that:

1. Proper chain-of-custody procedures were followed as documented on the chain-of-custody forms
2. Sample integrity was maintained by proper preservation.
3. All samples were properly labeled.
4. Quality assurance/quality control procedures were established and carried out.
5. Sample holding times were not exceeded.


(Initial)

(Initial)

(Initial)

(Initial)

(Initial)

(Initial)

- 6. SW-846 Analytical Laboratory Procedure (USEPA) methods were used for the analyses.
- 7. An accredited lab performed quantitative analysis using test methods identified in 35 IAC 186.180 (for samples collected on or after January 1, 2003).

KP
(Initial)
KP
(Initial)

D. Signatures

I hereby affirm that all information contained in this form is true and accurate to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sample Collector

Name Toni Laros
Title Environmental Professional
Company MSA Professional Services
Address 201 W. Springfield Avenue
City Champaign
State Illinois
Zip Code 61820
Phone 217-352-6976
Signature *Antonia Laros*
Date 6/22/16

Laboratory Representative

Name *Kristen Potter*
Title *Project Manager*
Company Prairie Analytical Systems, Inc.
Address 1210 Capital Airport Drive
City Springfield
State Illinois
Zip Code 62707-1148
Phone 217-753-1148
Signature *Kristen Potter*
Date 6/30/16

Appendix E

MW3 Replacement Soil Boring Log
and Monitoring Well Completion Report

MSA <small>PROFESSIONAL SERVICES</small>		SOIL BORING LOG			MSA Project Number: 12621001								
LUST Incident No.: 20021577 & 931126		Boring Number: MW3 replacement			Page: 1 of 1								
Webb & Sons		Boring Location: 6' west of 12th Street sidewalk edge, 1' south of DeWitt Avenue sidewalk			Date: Start 1345								
Address: 1201 DeWitt Ave., Mattoon, IL					5/19/2016 Finish 1415								
Sample Number	Sample Device	Sample Recovery	Lithology Symbol	Depth (feet)	Detailed Soil and Rock Description	Natural Moisture Content %	QU Hand Penetrometer	CVA/PID/FID/OVM	Remarks				
	Geoprobe 5' macrocore	5'		1	Gravel				petroleum odor 8-10' bls				
				2	Dark brown silty clay								
				3	Tan-brown silty clay with sand, some rust mottling								
				4	Gray sandy clay, changing to olive green at 6.5' bls, sl. moist								
				5	Olive green clayey sand, moist								
				6	Olive green sandy clay, soft, sl. moist								
				7	Olive green sandy clay and pebbles, some black staining								
				8	Tan brown silty clay, some rust mottling, firm								
				9	Olive brown clayey sand, wet								
				10	Gray diamicton, sl. moist								
				11	End of boring at 15' bls								
				12									
				13									
				14									
				15									
				16									
<p>Note: Stratification lines are approximate; in-situ transition between soil types may be gradual.</p> <table style="width:100%; border: none;"> <tr> <td style="width: 20%; border: none;"> ▼ Groundwater Data Depth While Drilling ▽ Depth After Drilling </td> <td style="border: none;"> Auger Depth: Rig: Geoprobe DT66 Rotary Depth: Geologist: Toni Laros Driller/Co.: Mike Grove / MSA Professional Services Note: Boring backfilled unless otherwise noted. </td> <td style="width: 20%; border: none; text-align: center;"> </td> <td style="border: none; text-align: right;"> Illinois Environmental Protection Agency </td> </tr> </table>										▼ Groundwater Data Depth While Drilling ▽ Depth After Drilling	Auger Depth: Rig: Geoprobe DT66 Rotary Depth: Geologist: Toni Laros Driller/Co.: Mike Grove / MSA Professional Services Note: Boring backfilled unless otherwise noted.		Illinois Environmental Protection Agency
▼ Groundwater Data Depth While Drilling ▽ Depth After Drilling	Auger Depth: Rig: Geoprobe DT66 Rotary Depth: Geologist: Toni Laros Driller/Co.: Mike Grove / MSA Professional Services Note: Boring backfilled unless otherwise noted.		Illinois Environmental Protection Agency										



Illinois Environmental Protection Agency

LUST Well Completion Report

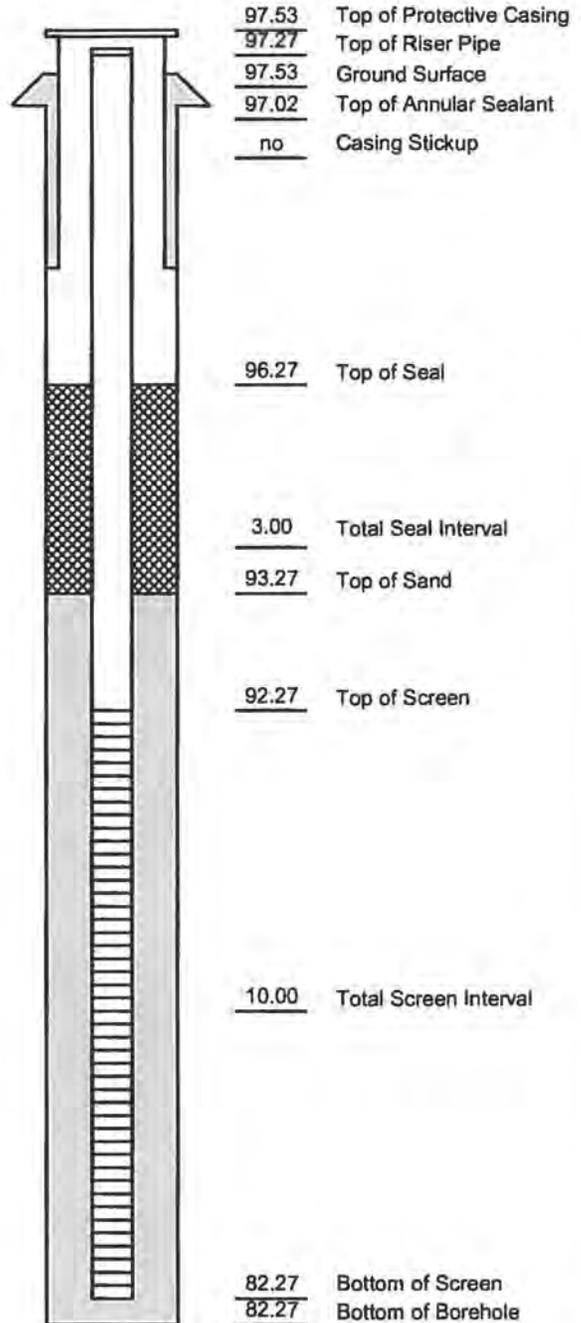
Incident No.: 20021577/931126
 Site Name: Webb & Sons
 Drilling Contractor: MSA
 Driller: Mike Grove
 Drilling Method: Hollow Stem Auger

Well No.: MW3-replacement
 Date Drilled Start: 5/19/2016
 Date Completed: 5/19/2016
 Geologist: Toni Laros
 Drilling Fluids (type): none

Annular Space Details

Type of Surface Seal: Concrete
 Type of Annular Sealant: Concrete
 Type of Bentonite Seal (Granular, Pellet): Pellet
 Type of Sand Pack: Coarse sand filter pack

Elevations - .01 ft.



Well Construction Materials

	Stainless Steel Specify Type	PVC Specify Type	Other Specify Type
Riser coupling joint		schedule 40	
Riser pipe above w.t.		schedule 40	
Riser pipe below w.t.		schedule 40	
Screen		schedule 40	
Coupling joint screen to riser		schedule 40	
Protective Casing		schedule 40	

Measurements

to .01 ft. (where applicable)

Riser pipe length	5
Screen length	10
Screen slot size	0.01
Protective casing length	0.75
Depth to water	1.87
Elevation of water	95.40
Free Product thickness	0
Gallons removed (develop)	20 gallons
Gallons removed (purge)	6 gallons
Other	

Completed by: Toni Laros

Appendix F

Tier 2 Calculation Spreadsheets

Electronic Filing: Received, Clerk's Office 6/1/2017

The Agency is authorized to require this information under Section 4 and Title XVI of the Environmental Protection Act (415 ILCS 5/4, 5/57 - 57.17). Failure to disclose this information may result in a civil penalty of not to exceed \$50,000.00 for the violation and an additional civil penalty of not to exceed \$10,000.00 for each day during which the violation continues (415 ILCS 5/42). Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit, or license, or other document filed, maintained or used for the purpose of compliance with Title XVI commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony (415 ILCS 5/57.17). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency Leaking Underground Storage Tank Program SSL Input Parameters for Use with Tier 2 Calculations

A. Site Identification

IEMA Incident # (6-or 8-digit): 20021577 & 931126 IEPA LPC # (10-digit): 0290255079

Site Name: Webb & Sons, Inc.

Site Address (not a P.O. Box): 1201 DeWitt Avenue

City: Mattoon County: Coles Zip Code: 61938

Leaking UST Technical File

B. Tier 2 Calculation Information

Equation(s) Used (ex: S12, S17, S28): S5, S26, S27

Contact Information for Individual Who Performed Calculations: Toni Laros, 217.352.6976

Land Use: Constr. Worker Soil Type: Silty Clay

Groundwater: Class I Class II

Mass Limit: Yes No If Yes, then Specify Acreage: 0.5 1 2 5 10 30

- Mass Limit Acreage other than defaults must always be rounded up.
- Failure to use site-specific parameters where allowed could affect payment from the Underground Storage Tank Fund.
- Maps depicting source width, plume dimensions, distance, etc. must also be submitted.
- Inputs must be submitted in the designated unit.

Symbol	Unit	Symbol	Unit
AT (ingestion) =	yr	d_a =	m
AT (inhalation) =	0.115 yr	d_s =	2.44 m
AT_c =	70 yr	D_A =	cm ² /s
BW =	kg	D_i =	cm ² /s
C_{sat} =	mg/kg	D_w =	cm ² /s
C_w =	mg/L	DF =	unitless
d =	mg/L	ED (ingestion of carcinogens) =	yr

Electronic Filing: Received, Clerk's Office 6/1/2017

Incident #: 20021577 & 931126 Chemical: Xylenes Land Use: Constr. Worker

Symbol		Unit	Symbol		Unit
ED (inhalation of carcinogens)	=	yr	K_{oc}	=	cm ³ /g or L/kg
ED (ingestion of noncarcinogens)	=	yr	K_s	=	m/yr
ED (inhalation of noncarcinogens)	=	1 yr	L	=	m
ED (ingestion of groundwater)	=	yr	PEF	=	m ³ /kg
ED _{M-L}	=	70 yr	PEF'	=	m ³ /kg
EF	=	30 d/yr	Q/C (VF equations)	=	85.81 (g/m ² -s)/(kg/m ³)
F(x)	=	0.194 unitless	Q/C (PEF equations)	=	(g/m ² -s)/(kg/m ³)
f _{oc}	=	g/g	RfC	=	0.4 mg/m ³
GW _{obj}	=	mg/L	RfD _o	=	mg/(kg-d)
H'	=	unitless	S	=	mg/L
i	=	m/m	SF _o	=	(mg/kg-d) ⁻¹
l	=	0.3 m/yr	T	=	s
l _{M-L}	=	0.18 m/yr	T _{M-L}	=	30 yr
IF _{soil-adj}	=	114 (mg-yr)/(kg-d)	THQ	=	1 unitless
IR _{soil}	=	mg/d	TR	=	unitless
IR _w	=	L/d	U _m	=	4.69 m/s
K	=	m/yr	URF	=	(µg/m ³) ⁻¹
k _d (non-ionizing organics)	=	cm ³ /g or L/kg	U _l	=	11.32 m/s
k _d (ionizing organics)	=	cm ³ /g or L/kg	V	=	unitless
k _d (inorganics)	=	cm ³ /g or L/kg	VF	=	m ³ /kg

Incident #: 20021577 & 931126 Chemical: Xylenes Land Use: Constr. Worker

Symbol		Unit	Symbol		Unit
VF'	=	m ³ /kg	θ_w	=	L _{water} /L _{soil}
VF _{M-L}	=	2.05E+04 m ³ /kg	ρ_b	=	1.62 kg/L or g/cm ³
VF' _{M-L}	=	2051 m ³ /kg	ρ_s	=	g/cm ³
η	=	L _{pure} /L _{soil}	ρ_w	=	1 g/cm ³
θ_a	=	L _{air} /L _{soil}	1/(2b+3)	=	unitless

**S5: Remediation Objective for Non-Carcinogenic Contaminants - Construction Worker
Equation for Inhalation Exposure Route (Organic Contaminants and Mercury)**

Project:	Webb & Sons, Inc.
MSA No:	12621001
IEMA No:	20021577/931126
Tier II Evaluation Description	
Xylenes -- Soil Inhalation - CW	

Symbol	Parameter	Source	Units	Input Value
THQ	Target Hazard Quotient	Default Value	-	1
AT	Averaging time for non-carcinogen, inhalation	Default Value	yr	0.115
EF	Exposure Frequency	Default Value	d/yr	30
ED	Exposure Duration non-carcinogen, inhalation	Default Value	yr	1
RfC	Inhalation Reference Concentration - subchronic	IRIS/HEAST	mg/m ³	0.4
VF _{M-L}	Volatilization Factor (adjusted for agitation)	S27	m ³ /kg	2.05E+03

Webb & Sons, Inc.

MSA No: 12621001
IEMA No: 20021577/931126

Tier II Evaluation: Xylenes -- Soil Inhalation - CW

S5: Remediation Objective for Noncarcinogenic Contaminants - Construction Worker (mg/kg)

$$\frac{THQ \cdot AT \cdot 365 \frac{d}{yr}}{EF \cdot ED \cdot \left(\frac{1}{RfC} \cdot \frac{1}{VF'} \right)}$$

$$= \frac{1 \cdot 0.1 \cdot 365}{30 \cdot 1 \cdot \frac{1}{0.4} \cdot \frac{1}{2.05E+03}}$$

$$= \mathbf{1,148 \quad (mg/kg)}$$

Symbol	Parameter	Source	Units	Input Value
THQ	Target Hazard Quotient	Default Value	-	1
AT	Averaging time for non-carcinogen, inhalation	Default Value	yr	0.115
EF	Exposure Frequency	Default Value	yr	30
ED	Exposure Duration non-carcinogen, inhalation	Default Value	yr	1
RfC	Inhalation Reference Concentration	IRIS HEAST	mg/m ³	0.4
VF _{M-L}	Mass Limit Volatilization Factor	S27	m ³ /kg	2.05E+03

Webb & Sons, Inc.

MSA No: 12621001
 IEMA No: 20021577/931126

Tier II Evaluation: Xylenes -- Soil Inhalation - CW

S26: Mass Limit Volatilization Factor for Inhalation - Industrial/Commercial, VF (m3/kg)

$$VF_{M-L} = \frac{Q}{C} \cdot \frac{\left[T_{M-L} \cdot \left(3.15 \cdot 10^7 \frac{s}{yr} \right) \right]}{\rho_b \cdot d_s \cdot 10^6 \frac{cm^3}{m^3}}$$

$$= 85.81 \cdot \frac{(30 \cdot 3.15E+07)}{(1.62 \cdot 2.44 \cdot 1.00E+06)}$$

$$= \mathbf{2.05E+04} \quad \mathbf{(mg/kg)}$$

Symbol	Parameter	Source	Units	Input Value
Q/C	Inverse of mean conc. at the center of a square source	Default Value for source area	(g/m ² -s)/(kg/m ³)	85.81
T _{M-L}	Exposure Interval for Mass-Limit Volatilization Factor Eq. S26	Default Value	yr	30
ρ _b	Dry soil bulk density	Site Specific	kg/L or g/cm ³	1.62
d _s	Depth of Source	Site Specific	m	2.44

Webb & Sons, Inc.

MSA No: 12621001
IEMA No: 20021577/931126

Tier II Evaluation: Xylenes -- Soil Inhalation - CW

S27: Mass Limit Volatilization Factor for Inhalation - Construction Worker, VF' (m³/kg)

$$VF'_{M-L} = \frac{VF_{M-L}}{10}$$

$$= \frac{2.05E+04}{10}$$

$$= 2051 \text{ (mg/kg)}$$

Symbol	Parameter	Source	Units	Input Value
VF _{M-L}	Volatilization Factor - Industrial Commercial	S26	m ³ /kg	2.05E+04

Appendix G

Groundwater Use Ordinance

Run Date :6/2/2010

DLC Assignment Form

Assignment ID :7297
Subject :Mattoon/Wareco Station #996
Subject Type :Ordinance Review
DLC In Date :6/2/2010
DLC File No. :
Correspondence No. :R10060203

DLC Completed Date. :

Assigned Staff:
Wight, Mark Attorney
Myers, Dave Bureau Requestor

Project Details:

Comments:

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2010-5286

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Mattoon, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier I remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Mattoon desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS;

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Section 51.003 of Chapter 51 is enacted as follows

§ 51.003 POTABLE WATER WELLS

(A) Use of groundwater as a potable water supply prohibited. Except for such uses or methods in existence before the effective date of this ordinance, The use or attempt to use as a potable water supply groundwater from within the corporate limits of the City of Mattoon, as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the City of Mattoon.

(B) Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750.00 for each violation.

(C) Definitions – for the purposes of this section the following definitions shall apply:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

“Potable Water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

(D) All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

(E) If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Hall, adopted this 16th day of March, 2010, by a roll call vote, as follows:

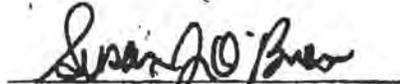
AYES (Names):	<u>Commissioner Ervin, Commissioner Gover,</u> <u>Commissioner Hall, Commissioner Rankin,</u> <u>Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 16th day of March, 2010.



 David W. Cline, Mayor
 City of Mattoon, Coles County, Illinois

ATTEST:



Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:



J. Preston Owen, City Attorney

Recorded in the Municipality's Records on 03-17, 2010.

Appendix H

Highway Authority Agreement Template



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HIGHWAY AUTHORITY AGREEMENT

This Agreement is entered into this _____ day of _____, 20____ pursuant to 35 Ill. Adm. Code 742.1020 by and between the (1) _____ Webb & Sons, Inc. _____ ("Property Owner") [or, in the case of a petroleum leaking underground storage tank (UST), the owner/operator of the tank ("Owner/Operator")] and (2) _____ City of Mattoon _____ [Name of Entity in Control of the Right-of-Way] ("Highway Authority"), collectively known as the "Parties."

[Use this paragraph for sites with petroleum leaking underground storage tank(s)]
WHEREAS, _____ Webb & Sons, Inc. _____ is the owner or operator of one or more leaking underground storage tanks presently or formerly located at _____ Webb & Sons, Inc. 1201 DeWitt Avenue, Mattoon, IL 61938 _____ ("the Site");

[Use this paragraph for sites that do not have petroleum leaking USTs]
WHEREAS, _____ is the owner of the property located at _____ ("the Site");

WHEREAS, as a result of one or more releases of contaminants from the above referenced USTs ("the Release(s)"), soil and/or groundwater contamination at the Site exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742;

WHEREAS, the soil and/or groundwater contamination exceeding Tier 1 residential remediation objectives extends or may extend into the Highway Authority's right-of-way;

WHEREAS, the Owner/Operator or Property Owner is conducting corrective action in response to the Release(s);

WHEREAS, the Parties desire to prevent groundwater beneath the Highway Authority's right-of-way that exceeds Tier 1 remediation objectives from use as a supply of potable or domestic water and to limit access to soil within the right-of-way that exceeds Tier 1 residential remediation objectives so that human health and the environment are protected during and after any access;

NOW, THEREFORE, the Parties agree as follows:

1. The recitals set forth above are incorporated by reference as if fully set forth herein.
2. [Use this paragraph if IEMA has issued an incident number] The Illinois Emergency Management Agency has assigned incident number(s) 20021577/931126 to the Release(s).
3. Attached as Exhibit A is a scaled map(s) prepared by the Owner/Operator that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination above the applicable Tier 1 residential remediation objectives as a result of the Release(s).
[Use the following sentence if either soil or groundwater is not contaminated above applicable Tier 1 residential remediation objectives: Groundwater is not contaminated above the applicable Tier 1 residential remediation objectives.]
4. Attached as Exhibit B is a table(s) prepared by the Owner/Operator that lists each contaminant of concern that exceeds its Tier 1 residential remediation objective, its Tier 1 residential remediation objective and its concentrations within the zone where Tier 1 residential remediation objectives are exceeded. The locations of the concentrations listed in Exhibit B are identified on the map(s) in Exhibit A.

5. Attached as Exhibit C is a scaled map prepared by the Owner/Operator showing the area of the Highway Authority's right-of-way that is governed by this agreement ("Right-of-Way"). Because Exhibit C is not a surveyed plat, the Right-of-Way boundary may be an approximation of the actual Right-of-Way lines.
6. ~~[Use this paragraph if samples have not been collected within the Right-of-Way, sampling within the Right-of-Way is not practical, and contamination does not extend beyond the Right-of-Way.]~~ Because the collection of samples within the Right-of-Way is not practical, the Parties stipulate that, based on modeling, soil and groundwater contamination exceeding Tier 1 residential remediation objectives does not and will not extend beyond the boundaries of the Right-of-Way.
7. The Highway Authority stipulates it has jurisdiction over the Right-of-Way that gives it sole control over the use of the groundwater and access to the soil located within or beneath the Right-of-Way.
8. The Highway Authority agrees to prohibit within the Right-of-Way all potable and domestic uses of groundwater exceeding Tier 1 residential remediation objectives.
9. The Highway Authority further agrees to limit access by itself and others to soil within the Right-of-Way exceeding Tier 1 residential remediation objectives. Access shall be allowed only if human health (including worker safety) and the environment are protected during and after any access. The Highway Authority may construct, reconstruct, improve, repair, maintain and operate a highway upon the Right-of-Way, or allow others to do the same by permit. In addition, the Highway Authority and others using or working in the Right-of-Way under permit have the right to remove soil or groundwater from the Right-of-Way and dispose of the same in accordance with applicable environmental laws and regulations. The Highway Authority agrees to issue all permits for work in the Right-of-Way, and make all existing permits for work in the Right-of-Way, subject to the following or a substantially similar condition:

As a condition of this permit the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Agreement governs access to soil that exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.

10. This agreement shall be referenced in the Agency's no further remediation determination issued for the Release(s).
11. The Agency shall be notified of any transfer of jurisdiction over the Right-of-Way at least 30 days prior to the date the transfer takes effect. This agreement shall be null and void upon the transfer unless the transferee agrees to be bound by this agreement as if the transferee were an original party to this agreement. The transferee's agreement to be bound by the terms of this agreement shall be memorialized at the time of transfer in a writing ("Rider") that references this Highway Authority Agreement and is signed by the Highway Authority, or subsequent transferor, and the transferee.
12. This agreement shall become effective on the date the Agency issues a no further remediation determination for the Release(s). It shall remain effective until the Right-of-Way is demonstrated to be suitable for unrestricted use and the Agency issues a new no further remediation determination to reflect there is no longer a need for this agreement, or until the agreement is otherwise terminated or voided.
13. In addition to any other remedies that may be available, the Agency may bring suit to enforce the terms of this agreement or may, in its sole discretion, declare this agreement null and void if any of the Parties or any transferee violates any term of this agreement. The Parties or transferee shall be notified in writing of any such declaration.
14. This agreement shall be null and void if a court of competent jurisdiction strikes down any part or provision of the agreement.
15. This agreement supersedes any prior written or oral agreements or understandings between the Parties on the subject matter addressed herein. It may be altered, modified or amended only upon the written consent and agreement of the Parties.
16. Any notices or other correspondence regarding this agreement shall be sent to the Parties at following addresses:

Electronic Filing: Received, Clerk's Office 6/1/2017

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62974-9276

Property Owner or Owner/Operator

Name Webb & Sons, Inc. c/o Doris Webb

Address 8687 East 150 North

City Lerna

State Illinois

Zip Code 62440

(Contact at Highway Authority)

Address _____

City _____

State _____

Zip Code _____

IN WITNESS WHEREOF, the Parties have caused this agreement to be signed by their duly authorized representatives.

[NAME OF LOCAL GOVERNMENT]

Date: _____

By: _____

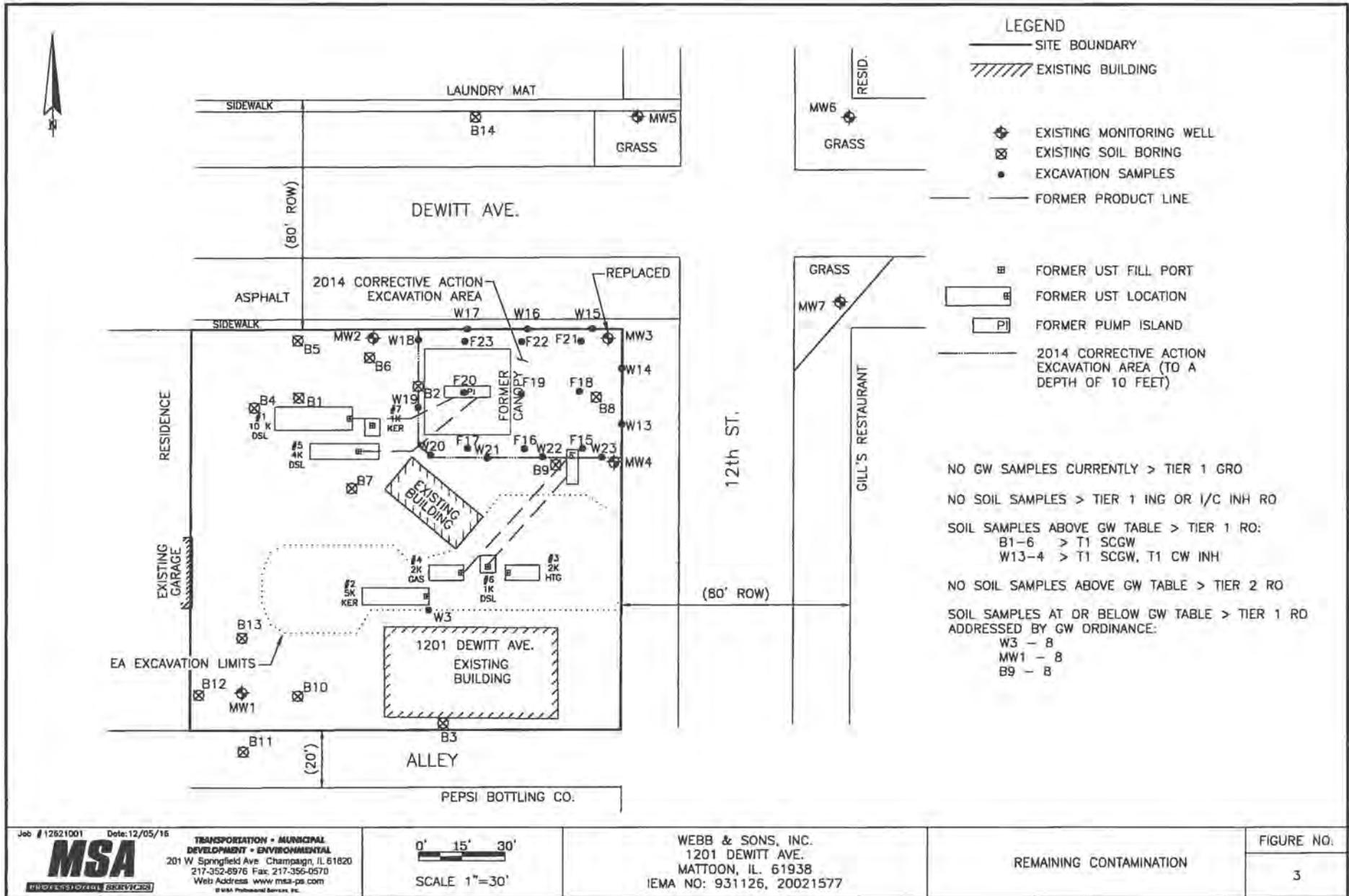
Its: _____

Property Owner or Owner/Operator

Date: _____

By: _____

Title



Webb Sons, Inc.

Resid Tier 1 Exceedances - Soil

IEMA No. 931126, 20021577

MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		W1	W2	W3	W4	W5	W6	W7	W8	W9	W10	W11
		8	8	8	8	8	8	8	8	8	8	8
Benzene												
SC of GW	30	ND	ND	554	ND							
Res Ing	12000	ND	ND	554	ND							
Res Inh	800	ND	ND	554	ND							
Toluene												
SC of GW	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	650000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene												
SC of GW	13000	ND	ND	415	ND							
Res Ing	7800000	ND	ND	415	ND							
Res Inh	400000	ND	ND	415	ND							
Xylenes												
SC of GW	150000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	320000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Date	---	1/22/03	1/22/03	1/22/03	1/23/03	1/23/03	1/23/03	1/23/03	1/23/03	1/23/03	1/23/03	1/27/03

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)											
		W12	F1	F2	F3	F4	F5	F6	F7	F8	F9	F10	
		6	11	11	11	11	11	11	11	11	11	11	11
Benzene													
SC of GW	30	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	800	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene													
SC of GW	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	650000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene													
SC of GW	13000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	7800000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	400000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylenes													
SC of GW	150000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	320000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Date	---	1/27/03	1/23/03	1/22/03	1/22/03	1/22/03	1/23/03	1/23/03	1/23/03	1/23/03	1/23/03	1/23/03	1/27/03

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		F11	F12	F13	F14	MW1-8	MW1-14	MW2-6	MW2-14	MW3-8	MW3-14	MW4-8
		11	11	11	11	8	14	6	14	8	14	8
Benzene										REM		
SC of GW	30	ND	ND	ND	ND	141	ND	ND	ND	560	ND	ND
Res Ing	12000	ND	ND	ND	ND	141	ND	ND	ND	560	ND	ND
Res Inh	800	ND	ND	ND	ND	141	ND	ND	ND	560	ND	ND
Toluene												
SC of GW	12000	ND	ND	ND	ND	ND	ND	ND	ND	387	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	387	ND	ND
Res Inh	650000	ND	ND	ND	ND	ND	ND	ND	ND	387	ND	ND
Ethylbenzene												
SC of GW	13000	ND	ND	ND	ND	ND	ND	ND	ND	1660	ND	1810
Res Ing	7800000	ND	ND	ND	ND	ND	ND	ND	ND	1660	ND	1810
Res Inh	400000	ND	ND	ND	ND	ND	ND	ND	ND	1660	ND	1810
Xylenes												
SC of GW	150000	ND	ND	ND	ND	ND	ND	ND	ND	1220	ND	824
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	1220	ND	824
Res Inh	320000	ND	ND	ND	ND	ND	ND	ND	ND	1220	ND	824
Date	---	1/27/03	1/23/03	1/22/03	1/22/03	10/28/04	10/28/04	10/28/04	10/28/04	10/28/04	10/28/04	10/28/04

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		MW4-15	B1-6	B1-12	B2-6	B2-10	B3-8	B3-12	B4-8	B5-6	B6-2	B6-10
		15	6	12	6	10	8	12	8	6	2	10
Benzene					REM							
SC of GW	30	ND	54.2	ND	78.3	26.2	ND	25.6	ND	ND	ND	ND
Res Ing	12000	ND	54.2	ND	78.3	26.2	ND	25.6	ND	ND	ND	ND
Res Inh	800	ND	54.2	ND	78.3	26.2	ND	25.6	ND	ND	ND	ND
Toluene					ND							
SC of GW	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	650000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene					ND							
SC of GW	13000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	7800000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	400000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylenes					ND							
SC of GW	150000	ND	564	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	564	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	320000	ND	564	ND	ND	ND	ND	ND	ND	ND	ND	ND
Date	--	10/28/05	11/3/04	11/3/04	11/3/04	11/3/04	11/3/04	11/3/04	11/3/04	5/18/05	5/18/05	5/18/05

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		B7-12	B8-4	B8-12	B9-8	B9-12	B10-8	B11-8	B12-8	B13-8	B14-8	MW5-8
		12	4	12	8	12	8	8	8	8	8	8
Benzene			REM									
SC of GW	30	ND	1780	ND	287	ND						
Res Ing	12000	ND	1780	ND	287	ND						
Res Inh	800	ND	1780	ND	287	ND						
Toluene			1820									
SC of GW	12000	ND	1820	ND	1790	ND						
Res Ing	16000000	ND	1820	ND	1790	ND						
Res Inh	650000	ND	1820	ND	1790	ND						
Ethylbenzene			775									
SC of GW	13000	ND	775	ND								
Res Ing	7800000	ND	775	ND								
Res Inh	400000	ND	775	ND								
Xylenes			556									
SC of GW	150000	ND	556	ND	709	ND						
Res Ing	16000000	ND	556	ND	709	ND						
Res Inh	320000	ND	556	ND	709	ND						
Date	---	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05	5/18/05

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		MW6-8	MW7-8	W13-4	W14-4	W15-8	W16-8	W17-8	W18-6	W19-6	W20-8	W21-8
		8	8	4	4	8	8	8	6	6	8	8
Benzene												
SC of GW	30	ND	ND	176	ND							
Res Ing	12000	ND	ND	176	ND							
Res Inh	800	ND	ND	176	ND							
Toluene												
SC of GW	12000	ND	ND	3930	ND							
Res Ing	16000000	ND	ND	3930	ND							
Res Inh	650000	ND	ND	3930	ND							
Ethylbenzene												
SC of GW	13000	ND	ND	1060	ND							
Res Ing	7800000	ND	ND	1060	ND							
Res Inh	400000	ND	ND	1060	ND							
Xylenes												
SC of GW	150000	ND	ND	20700	ND							
Res Ing	16000000	ND	ND	20700	ND							
Res Inh	320000	ND	ND	20700	ND							
Date	---	5/18/05	5/18/05	12/9/14	12/12/14	12/12/14	12/15/14	12/15/14	12/16/14	12/11/14	12/11/14	12/10/14

All units in ug/kg

ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO

Webb Sons, Inc.
 Resid Tier 1 Exceedances - Soil
 IEMA No. 931126, 20021577
 MSA No. 12621001

Parameter	Tier 1 Res Soil Obj*	Soil Sample ID and Depth (ft)										
		W22-8	W23-8	F15-10	F16-10	F17-10	F18-10	F19-10	F20-10	F21-10	F22-10	F23-10
		8	8	10	10	10	10	10	10	10	10	10
Benzene												
SC of GW	30	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	800	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene												
SC of GW	12000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	4.1
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	4.1
Res Inh	650000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	4.1
Ethylbenzene												
SC of GW	13000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	7800000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	400000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Xylenes												
SC of GW	150000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Ing	16000000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Res Inh	320000	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND	ND
Date	---	12/9/14	12/9/14	12/9/14	12/10/14	12/11/14	12/10/14	12/10/14	12/16/14	12/12/14	12/15/14	12/15/14

All units in ug/kg

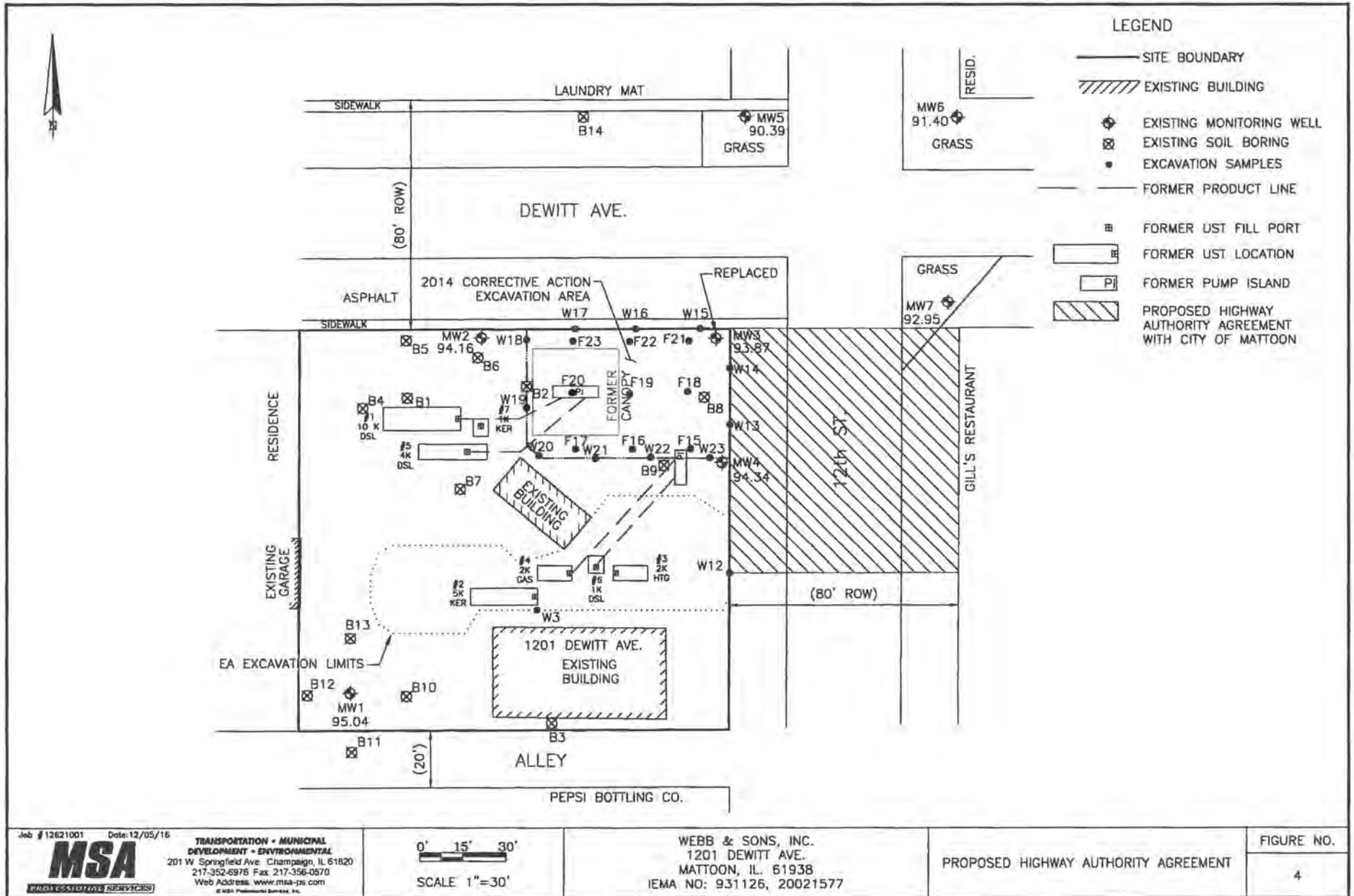
ND : results below laboratory detection limits

SC of GW: soil component of groundwater ingestion exposure route

REM: removed during excavation activities

* : 35 Illinois Administrative Code 742, Appendix B, Table A, Tier 1 Soil Remediation Objectives for Residential Properties

Shaded values indicate contamination levels above TACO Tier 1 SRO



Appendix I

Paving Contractor Bids

Bid Summary Form

Task(s) being bid:

Pave 5,371 square foot area with asphalt to 6" depth as shown in HDC Engineering Figure 6 (attached).

Subcontractor	Total Bid Cost
Effingham Asphalt Co.	\$66,796.00
Howell Paving, Inc.	\$37,328.45
Ne-Co Asphalt Co., Inc.	\$36,800.00

Attach additional sheets as needed.

Lowest Bid : \$ 36,800.00

I hereby certify, to the best of my knowledge, that:

1. The bids are based upon the same scope of work;
2. The scope of work does not include costs that are ineligible for payment from the Underground Storage Tank Fund;
3. The bids will remain valid for a period of time that will allow the owner or operator to accept them upon the Illinois EPA's approval of the associated budget;
4. The bids were obtained only from parties qualified and able to perform the work;
5. The bids were not obtained from any party in which the owner or operator or the primary contractor has a financial interest;
6. The prices in the bids were arrived at by each bidder independently, without consultation, communication, or agreement between any parties for the purpose of restricting competition;
7. Unless otherwise required by law, the prices quoted in the bids were not disclosed by any party, directly or indirectly, prior to the opening of all bids by the party requesting the bids;
8. No attempt was made by any party to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition; and
9. Copies of all bids received have been submitted to the Illinois EPA.

I am aware there are significant criminal penalties, including felony penalties, for submitting false statements or representations to the Illinois EPA and that these penalties include, but are not limited to, fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Illinois Environmental Protection Act [415 ILCS 5/44 and 57.17].

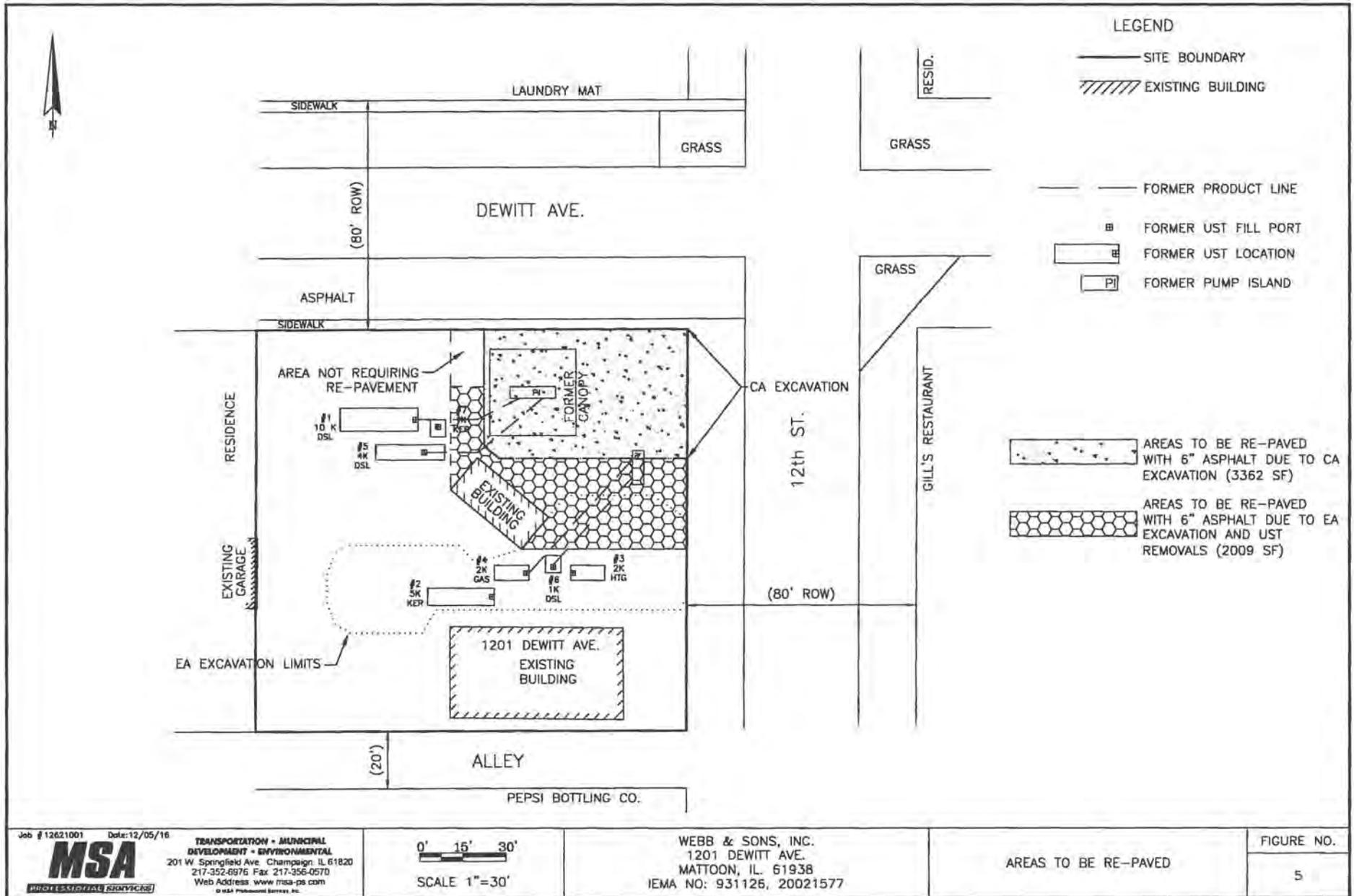
UST Owner or Operator

Name: Webb & Sons, Inc.
 Contact: Doris Webb
 Signature: *Doris Webb*
 Date: 1-26-17

Consultant

Company: MSA Professional Services
 Contact: Toni Laros
 Signature: *Antonia Laros*
 Date: 2/10/17

Attachments: Copy of scope of work
 Copies of all bids received and Contractor Certification Forms



CONTRACTOR CERTIFICATION FORM

DATE: 1-4-17

TO: Webb & Sons

FROM: Effingham Asphalt Co.

PROJECT: 1201 DeWitt Avenue, Mattoon, IL

SUMMARY OF WORK BID: Install Hot Mix Asphalt

TOTAL BID AMOUNT: \$ 66,796 00

Bid details are attached.

I hereby certify, to the best of my knowledge, that:

1. The prices in the above-described and attached bid have been arrived at by the bidder independently, without consultation, communication, or agreement with any party for the purpose of restricting competition;
2. Unless otherwise required by law, the prices quoted in the bid have not been and will not be disclosed by the bidder to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bids; and
3. No attempt has been made or will be made by the bidder to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.

I am aware there are significant criminal penalties, including felony penalties, for submitting false statements or representations to the Illinois EPA and that these penalties include, but are not limited to, fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Illinois Environmental Protection Act [415 ILCS 5/44 and 57.17].

Bidder

Company: Effingham Asphalt Co.

Contact: Gregg A. Kabbes

Signature: 

Date: 1-4-17

Attachment

Proposal

Page No. _____
of _____ Pages

EFFINGHAM ASPHALT CO.

1601 W. Wabash Ave. P.O. Box 307
Phone 217-342-2151 Fax 217-342-2154
EFFINGHAM, ILLINOIS 62401

PROPOSAL SUBMITTED TO:		DATE: JANUARY 4, 2017	
NAME:	WEBB & SONS	JOB NAME:	
STREET:	1201 DEWITT AVE.	STREET:	
CITY:	MATTOON	STATE:	IL
CITY:		STATE:	

We hereby submit specifications and estimates for:

WE PROPOSE TO:

APPROX. 5,371 SQ. FT.
REMOVE AND HAUL OFF EXISTNG MATERIAL TO 6" BELOW FINISH ELEVATION
PROOF ROLL
SUPPLY, INSTALL & COMPACT 6" HOT MIX ASPHALT

TOTAL: \$66,796.00

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. We will not be responsible for premature asphalt cracking or settling on jobs where base is installed by others.

Authorized Signature _____

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted:

Date _____

Signature _____

CONTRACTOR CERTIFICATION FORM

DATE: 1/5/17

TO: MSA Professional Services

FROM: Howell Paving, Inc.

PROJECT: Parking lot - 1201 DeWitt Avenue, Mattoon, IL 61938

SUMMARY OF WORK BID: Pave reconditioned lot with 6" HMA surface.
See attached quote.

TOTAL BID AMOUNT: \$ 37,328.45

Bid details are attached.

I hereby certify, to the best of my knowledge, that:

1. The prices in the above-described and attached bid have been arrived at by the bidder independently, without consultation, communication, or agreement with any party for the purpose of restricting competition;
2. Unless otherwise required by law, the prices quoted in the bid have not been and will not be disclosed by the bidder to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bids; and
3. No attempt has been made or will be made by the bidder to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.

I am aware there are significant criminal penalties, including felony penalties, for submitting false statements or representations to the Illinois EPA and that these penalties include, but are not limited to, fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Illinois Environmental Protection Act [415 ILCS 5/44 and 57.17].

Bidder

Company: Howell Paving, Inc.

Contact: Stephen Sturges It

Signature: 

Date: 1/5/2017

Attachment

NO: 14-128A

January 5, 2017

**PROPOSAL
HOWELL PAVING, INC.
COMMERCIAL DIVISION
1020 N. 13TH ST. • P.O. BOX 1009
MATTOON, ILLINOIS 61938-1009
(217)234-8877 • (217)234-4226 FAX**

TO: MSA Professional Services, Inc.

PROJECT: Hot mix asphalt parking lot overlay

ATTENTION: Toni Laros

Approximate Paving Area = 5,371 sq. ft.

We hereby submit the following proposal for excavating and paving the existing parking area located at 1201 DeWitt Avenue, Mattoon, IL, 61938.

It is our understanding that the area to be paved contains contaminated soil and is scheduled for cleanup. The area will then be backfilled by others with clean material which if removed will not require any hazardous material handling protocols. Therefore, the proposed area as outlined on Figure No. 6 prepared by HDC Engineering, dated July 19, 2006 shall be excavated to a depth of 6" and the material disposed of off site. This area will then be paved with 4" of Hot Mix Asphalt Bituminous Binder and 2" of Hot Mix Asphalt Surface Material. The cost of completing the above referenced work is based on a minimum of ± 5,371 Square Feet, any additional area that requires pavement will be billed at the square foot price.

Excavate 6" and Pave ± 5,371 SF of parking area	\$6.95/SF	\$37,328.45
---	-----------	-------------

This proposal does not include: installation of any concrete work, drainage structures, removing any foundations, the filling of cisterns or septic tanks, sealing of bituminous surface, nor providing any pavement marking.

Every effort will be made to complete this contract in an expeditious manner; however, this quotation does not include nighttime or weekend construction.

The full amount of this proposal will be invoice upon completion of all Howell work. Amounts remaining due one month after the invoice date will be subject to a 2% finance charge per month which is equivalent to 24% per year.

We hereby propose to furnish labor, equipment & material - complete in accordance with the above specifications for the sum of... THIRTY SEVEN THOUSAND, THREE HUNDRED TWENTY EIGHT and 45/100 dollars (\$37,328.45).

HOWELL PAVING, INC. 

The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED BY: _____ DATE: _____

NOTE: Please call if there are any questions regarding this proposal.
This proposal may be withdrawn by us if not accepted with in 30 days.

CONTRACTOR CERTIFICATION FORM

DATE: January 5, 2017

TO: MSA Professional Services, Inc.
Toni Laros, Environmental Professional

FROM: Ne-Co Asphalt Co., Inc.
John Robinson, General Manager

PROJECT: Webb & Sons, Inc.
IEMA No: 931126,20021577

SUMMARY OF WORK BID:

Remove CA-6 aggregate, misc. dirt or debris to 6" below finish grade.
Furnish and compact 6" Hot Mix Asphalt Surface Course (2 lifts).

TOTAL BID AMOUNT: \$ 36,800.00

Bid details are attached.

I hereby certify, to the best of my knowledge, that:

1. The prices in the above-described and attached bid have been arrived at by the bidder independently, without consultation, communication, or agreement with any party for the purpose of restricting competition;
2. Unless otherwise required by law, the prices quoted in the bid have not been and will not be disclosed by the bidder to any party, directly or indirectly, prior to the opening of all bids by the party requesting the bids; and
3. No attempt has been made or will be made by the bidder to induce any other party to submit, not submit, or modify a bid for the purpose of restricting competition.

I am aware there are significant criminal penalties, including felony penalties, for submitting false statements or representations to the Illinois EPA and that these penalties include, but are not limited to, fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Illinois Environmental Protection Act [415 ILCS 5/44 and 57.17].

Bidder

Company: Ne-Co Asphalt Co., Inc.

Contact: John Robinson, General Manager

Signature: 

Date: January 5, 2017

Attachment

Ne-Co Asphalt Co., Inc.

812 Adkins Drive P.O. Box 25 Charleston, Illinois 61920

Phone: 217-345-2002 Fax: 217- 345-2037

Email neco66@consolidated.net

January 5, 2017

MSA Professional Services, Inc.

Attention: Toni Laros
Environmental Professional

Re: Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, Illinois
IEMA No: 931126, 20021577

Dear Ms. Laros:

I have attached the Contractor Certification Form for the project located at Webb & Sons, Inc. in Mattoon, Illinois. The bid consists of removing CA-6 aggregate, misc. dirt or debris to 6" below finish grade. Furnish and compact 6" Hot Mix Asphalt Surface Course (2 lifts).

The total cost of this project is \$ 36,800.00.

General Conditions:

The following items of work relative to general conditions are **NOT** included in our proposal cost. Should you require the inclusion of any of these items, we can furnish additional costing at your request:

- 1) Builders Risk Insurance
- 2) Performance/Payment Bonds
- 3) Permits and/or fees – All building, sanitary, zoning, NPDES, and any other permits required for construction are to be provided by the OWNER or General Contractor.

Page 2

Contractual Requirements:

- 1) We require a written contract acceptable to us referencing this scope of work and outlining payment terms and contract conditions, similar to AIA contract documents. *This quotation letter of clarification and pricing must be included as a part of the contract document.*
- 2) Ne-Co Asphalt Co., Inc. is signatory to AFL-CIO union contract agreements and we have based our proposal on using union labor.

If you should have any questions, please give me a call.

Sincerely,



John M. Robinson
General Manager
Ne-Co Asphalt Co., Inc.

Appendix J

Corrective Action Budget Amendment



Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

General Information for the Budget and Billing Forms

LPC #: 0290255079 County: Coles

City: Mattoon Site Name: Webb & Sons, Inc.

Site Address: 1201 DeWitt Avenue

IEMA Incident No.: 931126 20021577

IEMA Notification Date: May 7, 1993

Date this form was prepared: Jan 19, 2017

This form is being submitted as a (check one, if applicable):

- Budget Proposal
- Budget Amendment (Budget amendments must include only the costs over the previous budget.)
- Billing Package

Please provide the name(s) and date(s) of report(s) documenting the costs requested.

Name(s): _____ **FEB 15 2017**

Date(s): _____

RECEIVED
IEPA/BOL

This package is being submitted for the site activities indicated below:

35 III. Adm. Code 734:

- Early Action
- Free Product Removal after Early Action
- Site Investigation Stage 1: Stage 2: Stage 3:
- Corrective Action Actual Costs

35 III. Adm. Code 732:

- Early Action
- Free Product Removal after Early Action
- Site Classification
- Low Priority Corrective Action
- High Priority Corrective Action

35 III. Adm. Code 731:

- Site Investigation
- Corrective Action

General Information for the Budget and Billing Forms

The following address will be used as the mailing address for checks and any final determination letters regarding payment from the Fund.

Pay to the order of: Webb & Sons, Inc.

Send in care of: MSA Professional Services

Address: 201 W. Springfield Avenue

City: Champaign

State: Illinois

Zip: 61820

The payee is the: Owner Operator (Check one or both.)

Wesley Webb

W-9 must be submitted.
[Click here to print off a W-9 Form.](#)

Signature of the owner or operator of the UST(s) (required)

Number of petroleum USTs in Illinois presently owned or operated by the owner or operator; any subsidiary, parent or joint stock company of the owner or operator; and any company owned by any parent, subsidiary or joint stock company of the owner or operator:

Fewer than 101: 101 or more:

Number of USTs at the site: 7 (Number of USTs includes USTs presently at the site and USTs that have been removed.)

Number of incidents reported to IEMA for this site: 2

Incident Numbers assigned to the site due to releases from USTs: 931126 20021577

Please list all tanks that have ever been located at the site and tanks that are presently located at the site.

Product Stored in UST	Size (gallons)	Did UST have a release?		Incident No.	Type of Release Tank Leak / Overfill / Piping Leak
Gasoline	1,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Heating Oil	2,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	1,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	10,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Kerosene	5,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Diesel	4,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
Gasoline	2,000	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	931126, 20021577	Tank Leak
		Yes <input type="checkbox"/>	No <input type="checkbox"/>		
		Yes <input type="checkbox"/>	No <input type="checkbox"/>		

Add More Rows Undo Last Add

Budget Summary

Choose the applicable regulation: 734 732

734	Free Product	Stage 1 Site Investigation	Stage 2 Site Investigation	Stage 3 Site Investigation	Corrective Action
Drilling and Monitoring Well Costs Form	\$	\$	\$	\$	\$ 1,403.96
Analytical Costs Form	\$	\$	\$	\$	\$ 209.42
Remediation and Disposal Costs Form	\$	\$	\$	\$	\$
UST Removal and Abandonment Costs Form	\$	\$	\$	\$	\$
Paving, Demolition, and Well Abandonment Costs Form	\$	\$	\$	\$	\$
Consulting Personnel Costs Form	\$	\$	\$	\$	\$ 145,300.00
Consultant's Materials Costs Form	\$	\$	\$	\$	\$ 407.50
Handling Charges Form	Handling charges will be determined at the time a billing package is submitted to the Illinois EPA. The amount of allowable handling charges will be determined in accordance with the Handling Charges Form.				
Total	\$	\$	\$	\$	\$ 147,320.88

Handwritten notes:
 66,424.00
 2017.00
 2017.00
 2017.00

Drilling and Monitoring Well Costs Form

1. Drilling

Number of Borings to Be Drilled	Type HSA/PUSH/ Injection	Depth (feet) of Each Boring	Total Feet Drilled	Reason for Drilling
1	PUSH	8.00	8.00	Landfill profile sample - 8 feet bls

Subpart H minimum payment amount applies.

	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:	8.00	21.06	168.48
Total Feet for Injection via PUSH:			
Total Drilling Costs:			1,403.96

2. Monitoring / Recovery Wells

Number of Wells	Type of Well HSA / PUSH / 4" or 6" Recovery / 8" Recovery	Diameter of Well (inches)	Depth of Well (feet)	Total Feet of Wells to Be Installed (\$)

Well Installation	Total Feet	Rate per Foot (\$)	Total Cost (\$)
Total Feet via HSA:			
Total Feet via PUSH:			
Total Feet of 4" or 6" Recovery:			
Total Feet of 8" or Greater Recovery:			
Total Well Costs:			

Total Drilling and Monitoring Well Costs:	\$1,403.96
--	-------------------

Analytical Costs Form

Laboratory Analysis	Number of Samples		Cost (\$) per Analysis		Total per Parameter
Chemical Analysis					
BETX Soil with MTBE EPA 8260		X		=	
BETX Water with MTBE EPA 8260		X		=	
COD (Chemical Oxygen Demand)		X		=	
Corrosivity		X		=	
Flash Point or Ignitability Analysis EPA 1010		X		=	
Fraction Organic Carbon Content (f _{OC}) ASTM-D 2974-00		X		=	
Fat, Oil, & Grease (FOG)		X		=	
LUST Pollutants Soil - analysis must include volatile, base/neutral, polynuclear aromatics and metals list in Section 732. Appendix B and 734. Appendix B		X		=	
Dissolved Oxygen (DO)		X		=	
Paint Filter (Free Liquids)		X		=	
PCB / Pesticides (combination)		X		=	
PCBs		X		=	
Pesticides		X		=	
pH		X		=	
Phenol	1	X	39.78	=	\$39.78
Polynuclear Aromatics PNA, or PAH SOIL EPA 8270		X		=	
Polynuclear Aromatics PNA, or PAH WATER EPA 8270		X		=	
Reactivity		X		=	
SVOC - Soil (Semi-Volatile Organic Compounds)		X		=	
SVOC - Water (Semi-Volatile Organic Compounds)		X		=	
TKN (Total Kjeldahl) "nitrogen"		X		=	
TPH (Total Petroleum Hydrocarbons)		X		=	
VOC (Volatile Organic Compounds) - Soil (Non-Aqueous)		X		=	
VOC (Volatile Organic Compounds) - Water		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
Geo-Technical Analysis					
Soil Bulk Density (p _b) ASTM D2937-94		X		=	
Ex-situ Hydraulic Conductivity / Permeability		X		=	
Moisture Content (w) ASTM D2216-92 / D4643-93		X		=	
Porosity		X		=	
Rock Hydraulic Conductivity Ex-situ		X		=	
Sieve / Particle Size Analysis ASTM D422-63 / D1140-54		X		=	
Soil Classification ASTM D2488-90 / D2487-90		X		=	
Soil Particle Density (p _s) ASTM D854-92		X		=	
		X		=	
		X		=	
		X		=	

Analytical Costs Form

Metals Analysis					
Soil preparation fee for Metals TCLP Soil (one fee per soil sample)		X		=	
Soil preparation fee for Metals Total Soil (one fee per soil sample)	1	X	92.43	=	\$92.43
Water preparation fee for Metals Water (one fee per water sample)		X		=	
Arsenic TCLP Soil		X		=	
Arsenic Total Soil		X		=	
Arsenic Water		X		=	
Barium TCLP Soil		X		=	
Barium Total Soil		X		=	
Barium Water		X		=	
Cadmium TCLP Soil		X		=	
Cadmium Total Soil		X		=	
Cadmium Water		X		=	
Chromium TCLP Soil		X		=	
Chromium Total Soil		X		=	
Chromium Water		X		=	
Cyanide TCLP Soil		X		=	
Cyanide Total Soil		X		=	
Cyanide Water		X		=	
Iron TCLP Soil		X		=	
Iron Total Soil		X		=	
Iron Water		X		=	
Lead TCLP Soil		X		=	
Lead Total Soil	1	X	18.71	=	\$18.71
Lead Water		X		=	
Mercury TCLP Soil		X		=	
Mercury Total Soil		X		=	
Mercury Water		X		=	
Selenium TCLP Soil		X		=	
Selenium Total Soil		X		=	
Selenium Water		X		=	
Silver TCLP Soil		X		=	
Silver Total Soil		X		=	
Silver Water		X		=	
Metals TCLP Soil (a combination of all metals) RCRA		X		=	
Metals Total Soil (a combination of all metals) RCRA		X		=	
Metals Water (a combination of all metals) RCRA		X		=	
		X		=	
		X		=	
		X		=	
		X		=	
Other					
EnCore® Sampler, purge-and-trap sampler, or equivalent sampling device		X		=	
Sample Shipping per sampling event ¹	1	X	58.50	=	\$58.50

¹A sampling event, at a minimum, is all samples (soil and groundwater) collected in a calendar day.

Total Analytical Costs: \$ 209.42

Consulting Personnel Costs Form

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			
Atchley	Senior Prof. Engineer	18.00	161.00	\$2,898.00
CCAP-Budget	Review and certify CAP Budget amendments (3 submittals)			
Atchley	Senior Prof. Engineer	14.00	161.00	\$2,254.00
CA-Pay	Review and certify additional two CAP reimbursements			
Atchley	Senior Prof. Engineer	31.00	161.00	\$4,991.00
CCAP	Technical oversight for CAP data review/modeling & VI regs; supervise lower professionals			
Jones, M.	Senior Project Manager	248.00	123.00	\$30,504.00
CCAP	Overall project management, scheduling, invoicing, supervision over 10 year period			
Jones, M.	Senior Project Manager	95.00	123.00	\$11,685.00
CCAP	Correspond w/IEPA, mtgs w/subcontractors; review vapor intrusion regs			
Jones, M.	Senior Project Manager	67.00	123.00	\$8,241.00
CCA-Field	Several visits to Site, site inspections and attempts to contact client			
Laros	Geologist III	90.00	109.00	\$9,810.00
CCAP	Mtg & corresp w/subs, obtain paving bids, corresp w/client, discuss CAP & GW ord w/IEPA			
Laros	Geologist III	125.00	109.00	\$13,625.00
CCAP	Review GW levels, prepare CAP Status Report & CAP Amendment, project timeline; notification ltrs			
Laros	Geologist III	64.00	109.00	\$6,976.00
TACO 2 or 3	Conduct additional Tier 2 assessment; R26 modeling for notification purposes, data review			

Ext ~~1932~~ -1932
 9/16/17
 7,749.00
 2,394.00
 50,480.00
 9/11

Electronic Filing: Received, Clerk's Office 6/1/2017

Employee Name	Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task			
Laros	Geologist III	120.00	109.00	\$13,080.00
CCAP-Budget	Prepare CAP Budget amendments (3 separate submittals)			
Laros	Geologist III	36.00	109.00	\$3,924.00
CCA-Field	Collect landfill profile sample, pack & ship to lab, corresp. w/landfill, lab and client, fill out landfill certs			
Laros	Geologist III	25.00	109.00	\$2,725.00
CCAP	Review VI assessment regulations and soil vapor sampling procedures			
Walsh	Senior Scientist	60.00	105.00	\$6,300.00
CCAP-Budget	Assist w/budget amendment preparation (3 separate submittals)			
Walsh	Senior Scientist	85.00	105.00	\$8,925.00
CA-Pay	Correspond w/client & site tenants regarding corrective action; research paving contractors			
Jones, J.	Scientist III	22.00	85.00	\$1,892.00
CCA-Field	Site measurements; site sketches for paving contractors			
Misc.	Senior Acct. Technician	82.00	68.00	\$5,576.00
CA-Pay	Preparation of two additional CA reimbursement packages			
Zimmerman	Draftperson/CAD IV	18.00	68.00	\$1,224.00
CCAP	Miscellaneous figures for client, CAP Status Report and HAA			
Smith	Technician I	49.00	55.00	\$2,695.00
CCA-Field	Well measurements, equipment calibration, site security/inspections, well head replacement			

*Cut all
\$13,080*

Cut 2,725

2,100 ok

Cut 2,100

*Cut all
6,300
Double with
8,925*

Electronic Filing: Received, Clerk's Office 6/1/2017

Employee Name		Personnel Title	Hours	Rate* (\$)	Total Cost
Remediation Category	Task				
Smith		Technician I	32.00	55.00	\$1,760.00
HAA	Site measurements, client-site meetings, city-site meetings				
Glenn		Senior Admin. Assistant	49.00	55.00	\$2,695.00
CA-Pay	Assist w/reimb prep (2); send client sign pages; copy, bind & ship 2 reimbursement packages				
Glenn		Senior Admin. Assistant	38.00	55.00	\$2,090.00
CCAP	Copy/bind/ship CAP Budget amend/Status to client/IEPA; send client sign pages; misc. mailings				
Glenn		Senior Admin. Assistant	26.00	55.00	\$1,430.00
CACR	Copy and ship certified notification letters, CACR and recorded NFR documents to client and IEPA				

*Refer to the applicable Maximum Payment Amounts document.

Total of Consulting Personnel Costs	\$145,300.00
--	---------------------

Consultant's Materials Costs Form

Materials, Equipment, or Field Purchase		Time or Amount Used	Rate (\$)	Unit	Total Cost
Remediation Category	Description/Justification				
Sampling Supplies		1.00	30.00	day	\$30.00
CCA-Field	Landfill profile sample				
Water level indicator		2.00	50.00	day	\$100.00
CCA-Field	Well measurements				
Mileage		500.00	.56	mile	\$277.50
CCA-Field	Additional site visits				

Total of Consultant Materials Costs	\$407.50
--	-----------------

Owner/Operator and Licensed Professional Engineer/Geologist Budget Certification Form

I hereby certify that I intend to seek payment from the UST Fund for costs incurred while performing corrective action activities for Leaking UST incident 931126, 20021577. I further certify that the costs set forth in this budget are for necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57, no costs are included in this budget that are not described in the corrective action plan, and no costs exceed Subpart H: Maximum Payment Amounts, Appendix D Sample Handling and Analysis amounts, and Appendix E Personnel Titles and Rates of 35 Ill. Adm. Code 732 or 734. I further certify that costs ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 732.606 or 734.630 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

- Costs associated with ineligible tanks.
- Costs associated with site restoration (e.g., pump islands, canopies).
- Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).
- Costs incurred prior to IEMA notification.
- Costs associated with planned tank pulls.
- Legal fees or costs.
- Costs incurred prior to July 28, 1989.
- Costs associated with installation of new USTs or the repair of existing USTs.

RECEIVED
FEB 15 2017
IEPA/BOL

Owner/Operator: Webb & Sons, Inc.

Authorized Representative: Doris Webb

Title: _____

Signature: *Doris H. Webb*

Date: 1-26-17

Subscribed and sworn to before me the 26th day of January, 2017

Jean A. Webb
(Notary Public)

Seal:



In addition, I certify under penalty of law that all activities that are the subject of this plan, budget, or report were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this plan, budget, or report and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the plan, budget, or report has been completed in accordance with the Environmental Protection Act [415 ILCS 5], 35 Ill. Adm. Code 732 or 734, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Illinois EPA, including but not limited to fines, imprisonment, or both as provided in Sections 44 and 57.17 of the Environmental Protection Act [415 ILCS 5/44 and 57.17].

L.P.E./L.P.G.: David Atchley

L.P.E./L.P.G. Seal

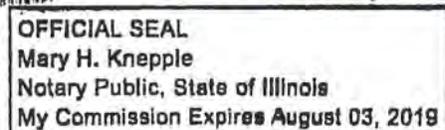
L.P.E./L.P.G. Signature: *David Atchley*

Date: 2/10/17

Subscribed and sworn to before me the 10TH day of FEBRUARY, 2017

Mary H. Knepple
(Notary Public)

Seal:



The Illinois EPA is authorized to require this information under 415 ILCS 5/1. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder.



Office of the Illinois
State Fire Marshal

General Office

217-785-0960

FAX

217-782-1062

Divisions

ARSON INVESTIGATION

217-782-6116

BOILER and PRESSURE

VESSEL SAFETY

217-782-2886

FIRE PREVENTION

217-785-4714

MANAGEMENT SERVICES

217-782-8869

INFIRS

217-785-8836

HUMAN RESOURCES

217-785-1028

PERSONNEL STANDARDS

and EDUCATION

217-782-4542

PETROLEUM and

CHEMICAL SAFETY

217-785-6678

PUBLIC INFORMATION

217-785-1021

WEB SITE

www.state.il.us/csfm

CERTIFIED MAIL - RECEIPT REQUESTED #7002 1000 0004 8741 6800

CORRECTED

July 12, 2002

Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, IL 61938

In Re:

Facility No. 4-028243
IEMA Incident No. 93-1126
Webb & Sons, Inc.
1201 Dewitt Avenue
Mattoon, Coles Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on June 12, 2002 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

It has been determined that you are eligible to seek payment of costs in excess of \$15,000. The costs must be in response to the occurrence referenced above and associated with the following tanks:

Eligible Tanks

Tank 1 10,000-gallon Diesel
Tank 2 5,000-gallon Kerosene
Tank 3 2,000-gallon Heating Oil
Tank 4 2,000-gallon Diesel
Tank 5 4,000-gallon Diesel
Tank 6 1,000-gallon Diesel

You must contact the Illinois Environmental Protection Agency to receive a packet of Agency billing forms for submitting your request for payment.

An owner or operator is eligible to access the Underground Storage Tank Fund if the eligibility requirements are satisfied:

1. Neither the owner nor the operator is the United States Government,
2. The tank does not contain fuel that is exempt from the Motor Fuel Tax Law,
3. The costs were incurred as a result of a confirmed release of any of the following substances:

"Fuel", as defined in Section 1.19 of the Motor Fuel Tax Law

Aviation fuel

1035 Stevenson Drive • Springfield, Illinois 62703-4259

Printed on Recycled Paper

Heating oil

Kerosene

Used oil, which has been refined from crude oil used in a motor vehicle, as defined in Section 1.3 of the Motor Fuel Tax Law.

4. The owner or operator registered the tank and paid all fees in accordance with the statutory and regulatory requirements of the Gasoline Storage Act.
5. The owner or operator notified the Illinois Emergency Management Agency of a confirmed release, the costs were incurred after the notification and the costs were a result of a release of a substance listed in this Section. Costs of corrective action or indemnification incurred before providing that notification shall not be eligible for payment.
6. The costs have not already been paid to the owner or operator under a private insurance policy, other written agreement, or court order.
7. The costs were associated with "corrective action".

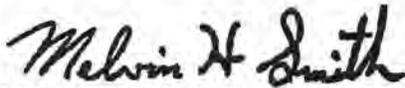
This constitutes the final decision as it relates to your eligibility and deductibility. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision to the Illinois Pollution Control Board (Board), pursuant to Section 57.9 (c) (2). An owner or operator who seeks to appeal the decision shall file a petition for a hearing before the Board within 35 days of the date of mailing of the final decision, (35 Illinois Administrative Code 105.102(a) (2)).

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-3620

If you have any questions regarding the eligibility or deductibility determinations, please contact our Office at (217) 785-1020 or (217) 785-5878 and ask for Deanne Lock.

Sincerely,



Melvin H. Smith
Division Director
Division of Petroleum and Chemical Safety

MHS/dl

cc: IEPA
Facility File



Toni Laros | Environmental Professional

MSA Professional Services, Inc.

+1 (217) 403-3381



From: Malcom, James [<mailto:James.Malcom@Illinois.gov>]

Sent: Tuesday, February 21, 2017 12:32 PM

To: Toni Laros <tlaros@msa-ps.com>

Subject: Webb & Sons

Toni,



I'm reviewing the CAP and Budget for this site dated February 14, 2017. The budget summary sheet does not have the costs for paving? The IEPA would reimburse the lowest bid which looks to be \$36,800.00. Also I will be modifying the personnel portion of the budget as the personnel hours are excessive for the amount of work proposed in the plan.. Please note, the Illinois EPA will not reimburse for work previously denied in prior budgets. There were two cap budgets previously denied, August 28, 2013 and October 24, 2013. I will e-mail a draft copy of the letter for you to look over prior to giving it to my unit manager for signature.

James R. Malcom, III
Leaking Underground Storage Tank Section
217-524-9140 (phone)
217-524-4193 (fax)



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Disclaimer

To: Malcom, James
Subject: [External] RE: Webb & Sons

James,

6

Thank you for the opportunity to comment. We believe it is reasonable to allow at least one to two hours per month for the Senior Project Manager to carry out duties such as supervision, strategy development, scheduling, coordination and overall project management. Since the time of the reimbursement submitted in February 2008, and excluding the period of March 2014 – February 2015 (included in the most recent reimbursement), this would total approximately 96 - 192 hours dedicated to this Leaking UST project over a period of eight years. What type of documentation would you need for this?



Toni Laros | Environmental Professional

MSA Professional Services, Inc.

+1 (217) 403-3381



From: Malcom, James [mailto:James.Malcom@Illinois.gov]

Sent: Tuesday, February 21, 2017 1:39 PM

To: Toni Laros <tlaros@msa-ps.com>

Subject: RE: Webb & Sons

5

Toni,

Review the attached letter, I will wait to get your comments prior to submitting the letter and budget attachment to Mike Lowder for signature.

From: Toni Laros [mailto:tlaros@msa-ps.com]

Sent: Tuesday, February 21, 2017 12:40 PM

To: Malcom, James

Subject: [External] RE: Webb & Sons

4

Here is the amended budget summary. Thank you for the heads up.



Toni Laros | Environmental Professional

MSA Professional Services, Inc.

+1 (217) 403-3381



From: Malcom, James [mailto:James.Malcom@Illinois.gov]

Sent: Tuesday, February 21, 2017 12:34 PM

To: Toni Laros <tlaros@msa-ps.com>

Subject: RE: Webb & Sons

3

Sure

From: Toni Laros [mailto:tlaros@msa-ps.com]

Sent: Tuesday, February 21, 2017 12:33 PM

To: Malcom, James

Subject: [External] RE: Webb & Sons

2

Can I email you a copy of the Budget Summary with the lowest bid cost included?

Malcom, James

From: Toni Laros <tlaros@msa-ps.com>
Sent: Thursday, March 02, 2017 3:59 PM
To: Malcom, James
Subject: [External] FW: Webb & Sons
Attachments: Webb Sen PM timesheets-HDC&MSA.pdf

9

See my additions below in red next to each applicable time period for costs related to Senior PM. There were no Senior PM hours from June 2008 to June 2010, and from July 1, 2014 to June 30, 2015. The associated timesheets/billing sheets for HDC and MSA are attached and related hours are highlighted in yellow. (HDC was purchased by MSA on Nov. 1, 2010.) Let me know if you have any questions.



Toni Laros | Environmental Professional
MSA Professional Services, Inc.
+1 (217) 403-3381
[in](#) [t](#) [f](#)

From: Malcom, James [mailto:James.Malcom@Illinois.gov]
Sent: Wednesday, March 01, 2017 11:05 AM
To: Toni Laros <tlaros@msa-ps.com>
Subject: RE: Webb & Sons

8

Senior PM hourly rates:

July 1, 2007 to June 30, 2008 (\$105.87/hour)
July 1, 2008 to June 30, 2009 (\$109.05/hour)
July 1, 2009 to June 30, 2010 (\$111.23/hour)
July 1, 2010 to June 30, 2011 (\$113.23/ hour) **HDC 5 hr @ 110 = \$550; MSA 16 hr @ 113 = \$1808; TOTAL: \$2,358**
July 1, 2011 to June 30, 2012 (\$114.59/hour) **MSA 20.25 hr @ 114 = \$2,308.50**
July 1, 2012 to June 30, 2013 (\$117.00/hour) **MSA 24 hr @ 117 = \$2,808**
July 1, 2013 to June 30, 2014 (119.11/hour) **MSA 16 hr @ 119 = \$1,904**
July 1, 2015 to June 30, 2016 (\$123.91/hour) **MSA 18.5 hr @ 123 = \$2,275.50**
July 1, 2016 to June 30, 2017 (\$125.15/hour) **MSA 2.75 hr @ 125 = \$343.75**

Total Senior PM costs = \$11,997.75

If you could figure the personnel cost for the senior PM using these rates that would be a big help..

From: Malcom, James
Sent: Wednesday, March 01, 2017 10:40 AM
To: 'Toni Laros'
Subject: RE: Webb & Sons

7

I can agree with 1 to 2 hours a month for the Senior Project Manager. I would need time sheets and the hourly reimbursement would be based on the hourly rate for that particular year, not the current hourly rate for a senior project manager.

From: Toni Laros [mailto:tlaros@msa-ps.com]
Sent: Wednesday, March 01, 2017 10:16 AM



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

217/524-3300

CERTIFIED MAIL

Ms. Doris Webb
8687 East 150 North
Lerna, Illinois 62240

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

*Draft
E-mailed to
Tony Laros
2/21/2017*

Dear Ms. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan (plan) submitted for the above-referenced incident. This plan, dated February 14, 2017 was received by the Illinois EPA on February 15, 2017. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

Pursuant to Sections 57.7(b)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(a), the plan is approved. The activities proposed in the plan are appropriate to demonstrate compliance with Title XVI of the Act. Please note that all activities associated with the remediation of this release proposed in the plan must be executed in accordance with all applicable regulatory and statutory requirements, including compliance with the proper permits.

Please note, a vapor intrusion investigation will not be required at this site.

In addition, the budget is modified pursuant to Sections 57.7(b)(3) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(b). Based on the modifications listed in Section 2 of Attachment A, the amounts listed in Section 1 of Attachment A have been approved. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of payment from the Fund may be limited by Sections 57.7(c), 57.8(d), 57.8(e), and 57.8(g) of the Act, as well as 35 Ill. Adm. Code 734.630 and 734.655.

Page 1

Pursuant to Sections 57.7(b)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.100 and 734.125, the Illinois EPA requires that a Corrective Action Completion Report that achieves compliance with applicable remediation objectives be submitted within 30 days after completion of the plan to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

If within four years after the approval of this plan, compliance with the applicable remediation objectives has not been achieved and a Corrective Action Completion Report has not been submitted, the Illinois EPA requires the submission of a status report pursuant to Section 57.7(b)(6) of the Act.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact James R. Malcom at 217-524-9140.

Sincerely,

Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

MTL:jrm

Attachment: Budget Modification

cc: MSA Professional Services (electronic copy), Toni Laros (tlaros@msa-ps.com)
BOL File

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

Attachment A

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

SECTION 1

As a result of Illinois EPA's modification(s) in Section 2 of this Attachment A, the following amounts are approved:

\$1,403.96	Drilling and Monitoring Well Costs
\$209.42	Analytical Costs
\$0.00	Remediation and Disposal Costs
\$0.00	UST Removal and Abandonment Costs
\$36,800.00	Paving, Demolition, and Well Abandonment Costs
\$66,424.00	Consulting Personnel Costs
\$407.50	Consultant's Materials Costs

Handling charges will be determined at the time a billing package is reviewed by the Illinois EPA. The amount of allowable handling charges will be determined in accordance with Section 57.1(a) of the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code) 734.635.

SECTION 2

1. \$78,876.00 for costs associated with personnel which lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that costs will not be used for activities in excess of those necessary to meet the minimum requirements of Title XVI of the Act. Therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act. The personnel costs also exceed the minimum requirements necessary to comply with the Act. Costs associated with site investigation and corrective action activities and associated materials or services exceeding the minimum requirements necessary to comply with the Act are not eligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o).

A) Atchley (P.E.) Costs,

The Illinois EPA will not reimburse personnel costs associated with the two previously denied corrective action plan budgets. Based on this the Illinois EPA will reimburse P.E. costs to review the CAP and Budget received February 15, 2017 for 6 hours at \$161/hour for a total of \$966.00.

The Illinois EPA deems 14 hours excessive for a Senior P.E. to review 2 CAP reimbursements with 6 hours being adequate, based on this \$966.00 is being approved for this job task.

The Illinois EPA deems 31 hours excessive for a Senior P.E. to perform technical oversight for CAP data review and modeling & VI regs with 10 hours being adequate, based on this \$1,610 is being approved for this job task.

Based on these modifications a total of \$6,601.00 is being deducted from the budget associated with Mr. Atchley.

B) Jones, M (Senior Project Manager) Costs,

All personnel costs associated with Jones, M is being denied as the amount of hours proposed for this work has been approved in previous budgets or has been performed by the senior Professional Engineer Mr. Atchley and/or Geologist III Toni Laros in the budget received February 15, 2017. Based on this \$50,430.00 is being deducted from the personnel portion of the budget. Supporting documentation can be provided to document the work performed by Jones, M.

C) Laros (Geologist III) Costs

The Illinois EPA will not reimburse personnel costs associated with the two previously denied corrective action plan budgets. Based on this the Illinois EPA will reimburse the Geologist III costs to review the CAP and Budget received February 15, 2017 for 40 hours at \$109/hour for a total of \$4,360.00. . Based on this \$8,720.00 is being deducted from the personnel portion of the budget.

D) Walsh (Senior Scientist) Costs

The Illinois EPA will not reimburse personnel costs associated with the two previously denied corrective action plan budgets. Based on this the Illinois EPA will reimburse the Senior Scientist costs to review the CAP and Budget received February 15, 2017 for 20 hours at \$105/hour for a total of \$2,100.00 Based on this \$4,200.00 is being deducted from the personnel portion of the budget.

The 85 hours proposed to correspond with the client & site tenants and research paying contractors is being deducted as these same job tasks were performed by Ms. Laros and approved in the CAP/budget received February 15, 2017. Based on this \$8,925.00 is being deducted from the budget.

jrm

Page 1

Pursuant to Sections 57.7(b)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.100 and 734.125, the Illinois EPA requires that a Corrective Action Completion Report be submitted within 90 days to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact James R. Malcom at 217-524-9140.

Sincerely,



Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

MTL:jrm

Attachment: Budget Denial Attachment

cc: MSA Professional Services (electronic copy), Toni Laros (tlaros@msa-ps.com)
BOL File

Attachment A

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

Citations in this attachment are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

1. It appears that the personnel cost in the proposed budget are for corrective action tasks that were approved in previous plans and budgets, specifically in Illinois EPA letters dated September 12, 2006, November 5, 2007 and May 31, 2007. It should also be noted that the May 31, 2007 Illinois EPA letter included the amount awarded to Web & Sons, Inc. by the Illinois Pollution Control Board in the appeal for personnel cost for corrective action activities in this project. Since this date, no additional corrective action plan has been approved by the Illinois EPA. The groundwater sampling outlined in the plan received February 15, 2017 was not previously approved in a corrective action plan. Additional costs associated with work previously approved should not be included in any future budgets.

If additional work was needed to complete the corrective action as approved by the Illinois EPA beyond the scope of work in the corrective action plans, then additional documentation will need to be submitted to the Illinois EPA to support the additional costs. This documentation must include the specific reason and/or additional tasks that needed to be performed, technical justification, and amount of time associated with said reason or task for the additional cost requested. For work that has already been completed the documentation must include dates, times, personnel names and titles and the specific task descriptions.

2. The budget includes costs for pavement that were obtained via bidding. Pursuant to 35 Ill. Adm. Code 734.855(a), bids must be obtained only from persons qualified and able to perform the work being bid. In order to determine compliance with this provision, information must be provided demonstrating that the bidders are persons qualified and able to perform the work being bid. (Sections 57.1(a) and 57.7(c)(3) of the Act)

The 3 bids submitted for review were not obtained in accordance with the bidding requirements outlined under 734.855.

The cost associated with pavement was approved in 2006, pursuant to 734.870(d)(1) rates cannot be raised when the work is performed years after the budget was approved.

3. The budget includes costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that costs will not be used for activities in excess of those necessary to meet the minimum requirements of Title XVI of the Act therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

The personnel costs submitted for review lacked sufficient documentation in regards to personnel hours and job descriptions provided for those personnel hours. The Illinois EPA will require a more detailed job description associated with the proposed personnel hours. The personnel cost proposed in the budget exceed the minimum requirements necessary to comply with the Act. Costs associated with site investigation and corrective action activities and associated materials or services exceeding the minimum requirements necessary to comply with the Act are not eligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o). The personnel cost proposed in the budget are deemed not reasonable as submitted. Such costs are ineligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(dd).

jrm

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

From: Toni Laros [<mailto:tlaros@msa-ps.com>]
Sent: Wednesday, March 29, 2017 3:18 PM
To: Malcom, James
Cc: Mike Buzicky
Subject: [External] RE: Webb & Sons

11

James,

Why the dramatic difference between this IEPA decision and your draft decision? Why does your draft letter approve the CAP and modify the budget, but the official letter completely deny both? And does this letter state that if bidding for paving is obtained as required by the 734.855 regulations, it will not be approved because it was approved in a prior budget? Please explain.



Toni Laros | Environmental Professional
MSA Professional Services, Inc.
+1 (217) 403-3381



From: Malcom, James [<mailto:James.Malcom@Illinois.gov>]
Sent: Wednesday, March 29, 2017 1:11 PM
To: Toni Laros <tlaros@msa-ps.com>
Subject: Webb & Sons

10

The attached letter is your official copy of the IEPA decision regarding the CAP and Budget received February 15, 2017. Due to clerical shortages consultants will no longer be receiving mailed copies of IEPA decision letters.

James R. Malcom, III
Leaking Underground Storage Tank Section
217-524-9140 (phone)
217-524-4193 (fax)



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Malcom, James

From: Malcom, James
Sent: Thursday, March 30, 2017 10:54 AM
To: 'Toni Laros'
Cc: Mike Buzicky
Subject: RE: Webb & Sons

15

There is currently \$27,083.20 in approved field purchase and other cost that could be used to pay for the asphalt barrier.. Anything over this amount could not be approved with adequate justification. Just a note, **The cost associated with pavement was approved in 2006, pursuant to 734.870(d)(1) rates cannot be raised when the work is performed years after the budget was approved.**

From: Toni Laros [mailto:tlaros@msa-ps.com]
Sent: Thursday, March 30, 2017 10:25 AM
To: Malcom, James
Cc: Mike Buzicky
Subject: [External] RE: Webb & Sons

14

No it was not. Asphalt was never placed as no contractor could do the job for the approved amount.



Toni Laros | Environmental Professional
MSA Professional Services, Inc.
+1 (217) 403-3381



From: Malcom, James [mailto:James.Malcom@Illinois.gov]
Sent: Thursday, March 30, 2017 8:02 AM
To: Toni Laros <tlaros@msa-ps.com>
Cc: Mike Buzicky <mbuzicky@msa-ps.com>
Subject: RE: Webb & Sons

13

A claim was received February 20, 2015 with a voucher issued May 27, 2015 totaling \$128,380.42, I am assuming that the cost associated with asphalt was within this claim.

From: Malcom, James
Sent: Thursday, March 30, 2017 7:52 AM
To: 'Toni Laros'
Cc: Mike Buzicky
Subject: RE: Webb & Sons

12

Toni & Mike,

Upper management disagreed with my draft CAP approval letter with the modified budget. It was decided that any cost previously approved in a budget were not going to be approved again, this includes the asphalt. The cost for asphalt totaling \$17,026.07 was approved in the Illinois EPA letter dated September 12, 2006. The only corrective action activity not already approved was the groundwater sampling that took place June 21, 2016. As stated in the denial letter supporting documentation can be submitted for additional cost associated with previously approved budgets. Any additional questions should be directed to Mike Lowder at 217-785-5734 or Greg Dunn at 217-785-2359.

Oct 20, 2015

8:58:56 AM

HDC ENGINEERING

Page: 6

Billing Worksheet

Primary Partner - Client Master - Code
For the Period: 01/01/1990 - 10/20/2015

Primary Partner: JONES, Mike (22088)

WIP - WEBB & SONS (01323) - UST Removal - D

					Memo	Cost	Hours	WIP	Billed	Adj
Admin	Envir	503 Field Sampling/Analysis	SMITH,Toby	06/27/2006		0.00	4.00		140.00	78.53
Admin	Envir	503 Field Sampling/Analysis	SMITH,Toby	08/21/2009		0.00	3.00		150.00	43.87
Admin	Envir	501 Planning and Design	JONES, Mike	09/21/2010		1.00	1.00		110.00	-110.00
Admin	Envir	501 Planning and Design	JONES, Mike	10/12/2010		2.00	2.00		220.00	-220.00
Envir Totals						446.00	510.50		37509.25	3419.97
Admin	GEN	602 Correspondence	eakle, gina	08/21/2003		0.25	0.25	0.00		
Admin	GEN	602 Correspondence	eakle, gina	10/21/2003		0.50	0.50	0.00		
Admin	GEN	602 Correspondence	frevert, to	03/15/2004	Letter for Betsy	0.00	0.25	0.00		
Admin	GEN	602 Correspondence	frevert, to	04/07/2005	(5) certified letters for JJ	0.00	0.75		0.08	0.01
Admin	GEN	601 Research	LAROS, Anto	12/05/2006	Webb appeal	4.50	4.50		333.00	42.24
Admin	GEN	601 Research	LAROS, Anto	12/06/2006	appeal prep	1.50	1.50		111.00	14.08
GEN Totals						6.75	7.75		444.08	56.33
Admin Totals						457.00	538.25		38038.89	3488.78

Billing Worksheet

Primary Partner - Client Master - Code
For the Period: 01/01/1990 - 10/20/2015

Primary Partner: JONES, Mike (22088)

WIP - WEBB & SONS (01323) - UST Removal - D					Memo	Cost	Hours	WIP	Billed	Adj
Bill	Expen	BE05 Mileage	ADMINISTRA	12/30/2005	KS				56.26	7.72
Bill	Expen	BE02 Shipping Charges	ADMINISTRA	02/08/2006	Fed Ex 1/19				7.50	1.01
Bill	Expen	BE06 Misc. Charges (Out of Ho	ADMINISTRA	07/28/2006	TestAmerica, 62602553				131.88	16.87
Bill	Expen	BE08 Misc. Charges (Out of Ho	ADMINISTRA	08/28/2006	TL				0.86	0.10
Bill	Expen	BE02 Shipping Charges	ADMINISTRA	08/29/2006	UPS, 8/18				3.96	0.46
Bill	Expen	BE06 Misc. Charges (Out of Ho	ADMINISTRA	10/31/2006	Ill Pollution Control Board, ck 19102				75.00	7.12
Bill	Expen	BE08 Misc. Charges (Out of Ho	ADMINISTRA	04/30/2007	Harrington Tock				6895.00	53.57
					Expen Totals				249877.60	13972.85
					Bill Totals				249877.60	13972.85
ENV	CC	661 Program Design/Preparatio	gorden,bob	10/24/2001		60.00	1.50		112.50	3.25
ENV	CC	661 Program Design/Preparatio	LAROS,Anto	05/14/2003	Cover ltr	0.75	0.75		43.50	3.74
ENV	CC	661 Program Design/Preparatio	JONES, Mike	07/14/2010	reporting	2.00	2.00		220.00	-220.00
					CC Totals	62.75	4.25		376.00	-213.01
ENV	P-I	623 Report Preparation	JONES, Mike	05/25/2004		1.00	1.00		95.00	1.06
					P-I Totals	1.00	1.00		95.00	1.06
ENV	P-II	637 High Priority Site Activities	JONES, Mike	03/25/2002		1.00	1.00		80.00	2.31
ENV	P-II	637 High Priority Site Activities	JONES, Mike	04/05/2002		1.00	1.00		80.00	2.31
ENV	P-II	637 High Priority Site Activities	JONES, Mike	06/13/2002		2.00	2.00		160.00	4.62
ENV	P-II	637 High Priority Site Activities	JONES, Mike	07/12/2002		2.00	2.00		160.00	15.54
ENV	P-II	637 High Priority Site Activities	JONES, Mike	07/29/2002		1.00	1.00		80.00	7.77
ENV	P-II	637 High Priority Site Activities	JONES, Mike	08/21/2002		1.50	1.50		120.00	11.66
ENV	P-II	637 High Priority Site Activities	JONES, Mike	08/27/2002		1.75	1.75		140.00	13.60
ENV	P-II	637 High Priority Site Activities	JONES, Mike	08/29/2002		1.25	1.25		100.00	9.72
ENV	P-II	637 High Priority Site Activities	JONES, Mike	08/30/2002		0.25	0.25		20.00	1.94
ENV	P-II	638 Corrective Action Completio	JONES, Mike	09/12/2002		1.75	1.75		140.00	8.84
ENV	P-II	638 Corrective Action Completio	JONES, Mike	09/19/2002		1.00	1.00		80.00	5.05
ENV	P-II	638 Corrective Action Completio	WALSH, Bill	10/28/2002		7.00	7.00		406.00	58.57
ENV	P-II	638 Corrective Action Completio	saylor, kev	10/28/2002		10.00	10.00		580.00	83.67
ENV	P-II	638 Corrective Action Completio	saylor, kev	10/29/2002		10.00	10.00		580.00	83.67
ENV	P-II	638 Corrective Action Completio	WALSH, Bill	10/29/2002		13.00	13.00		754.00	108.78
ENV	P-II	638 Corrective Action Completio	saylor, kev	10/30/2002		6.50	6.50		377.00	54.39
ENV	P-II	638 Corrective Action Completio	saylor, kev	10/31/2002		3.00	3.00		174.00	25.10
ENV	P-II	638 Corrective Action Completio	saylor, kev	11/01/2002		4.00	4.00		232.00	10.88
ENV	P-II	638 Corrective Action Completio	saylor, kev	11/04/2002		0.50	0.50		29.00	1.36
ENV	P-II	638 Corrective Action Completio	JONES, Mike	11/04/2002		2.00	2.00		170.00	7.97
ENV	P-II	638 Corrective Action Completio	saylor, kev	11/05/2002		1.00	1.00		58.00	2.72
ENV	P-II	638 Corrective Action Completio	JONES, Mike	11/21/2002		1.50	1.50		127.50	5.98
ENV	P-II	631 Report Preparation	LAROS, Anto	12/11/2002	Contract amend. ltr	0.50	0.50		29.00	3.43
ENV	P-II	638 Corrective Action Completio	ATCHLEY, Da	01/16/2003		5.00	5.00		475.00	125.29
ENV	P-II	630 Site Inspection/Activities	davis, phil	01/17/2003	prep for removal	2.00	2.00		96.00	25.32
ENV	P-II	630 Site Inspection/Activities	davis, phil	01/20/2003	soil removal	8.00	8.00		384.00	101.28
ENV	P-II	630 Site Inspection/Activities	davis, phil	01/21/2003	soil removal	10.00	10.00		480.00	126.61
ENV	P-II	637 High Priority Site Activities	saylor, kev	01/21/2003		1.50	1.50		87.00	22.95
ENV	P-II	637 High Priority Site Activities	saylor, kev	01/22/2003		7.50	7.50		435.00	114.74
ENV	P-II	631 Report Preparation	davis, phil	01/22/2003	photo download and organization	1.00	1.00		48.00	12.66
ENV	P-II	630 Site Inspection/Activities	davis, phil	01/23/2003	PREP	1.00	1.00		48.00	12.66

Employee Labor Detail

Thursday, March 2, 2017

10:36:20 AM

MSA Professional Services, Inc.

11/1/2010 through 9/30/2016

	Date	Regular Hours
Employee: 18428 Jones, J. Mike		
Project: R12621001.0 Webb & Sons (01323)		
Phase: 100 Environmental		
Task: 620 Site Inspection		
	11/1/2010	1.00
	11/2/2010	1.50
Total for 620		2.50
Task: 621 Historical Review		
	11/9/2010	2.00
	11/10/2010	.50
	11/11/2010	.50
	11/12/2010	.75
	11/15/2010	1.00
	11/16/2010	1.00
	11/17/2010	1.00
	11/19/2010	2.00
	11/30/2010	.25
	12/1/2010	.50
	12/2/2010	1.00
	12/3/2010	.50
	12/7/2010	2.00
	12/8/2010	1.00
	12/9/2010	2.00
	12/10/2010	1.00
	12/13/2010	2.00
	12/14/2010	2.00
	12/20/2010	1.00
	12/21/2010	1.00
	12/22/2010	2.00
	11/9/2010	-2.00
	11/10/2010	-.50
	11/11/2010	-.50
	11/12/2010	-.75
	11/15/2010	-1.00
	11/16/2010	-1.00
	11/17/2010	-1.00
	11/19/2010	-2.00
	11/30/2010	-.25
	12/1/2010	-.50
	12/2/2010	-1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

12/3/2010	-50
12/7/2010	-2.00
12/8/2010	-1.00
12/9/2010	-2.00
12/10/2010	-1.00
12/13/2010	-2.00
12/14/2010	-2.00
12/20/2010	-1.00
12/21/2010	-1.00
12/22/2010	-2.00
12/28/2010	1.00
12/29/2010	2.00
12/28/2010	-1.00
12/29/2010	-2.00

Total for 621

Task: 623 Report Preparation

9/8/2011	1.00
9/7/2011	2.00
9/12/2011	1.00
9/13/2011	2.00
9/16/2011	1.00
9/19/2011	1.00
9/21/2011	.50
9/23/2011	1.00
9/26/2011	1.00
9/28/2011	1.00
10/4/2011	1.00
10/11/2011	1.00
10/12/2011	1.00
10/17/2011	1.00
10/19/2011	2.00
10/24/2011	1.00
10/27/2011	1.00
10/31/2011	1.00
11/1/2011	2.00
11/11/2011	2.00
11/14/2011	1.50
11/22/2011	2.00
11/29/2011	1.00
12/1/2011	1.00
12/5/2011	1.50
12/12/2011	1.00
12/16/2011	1.00
12/20/2011	.75
12/21/2011	1.00
12/27/2011	2.00
12/30/2011	1.00
1/3/2012	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

1/5/2012	1.75
1/9/2012	.50
1/16/2012	1.00
1/18/2012	1.75
1/24/2012	1.00
1/26/2012	1.00
1/30/2012	1.25
2/2/2012	1.50
2/6/2012	1.25
2/9/2012	2.25
2/14/2012	2.00
2/15/2012	1.25
2/21/2012	1.00
2/23/2012	1.25
2/24/2012	2.00
2/27/2012	.50
3/1/2012	2.50
3/2/2012	2.00
3/5/2012	1.00
3/8/2012	1.50
3/14/2012	1.00
3/19/2012	1.75
3/27/2012	1.00
3/28/2012	1.00
3/30/2012	2.00
4/3/2012	1.00
4/4/2012	1.00
4/6/2012	1.50
4/9/2012	1.50
4/12/2012	1.50
4/18/2012	2.00
4/20/2012	1.00
4/23/2012	1.25
4/26/2012	1.00
4/30/2012	1.25
5/1/2012	1.00
5/4/2012	1.00
5/9/2012	1.50
5/11/2012	1.00
5/14/2012	1.25
5/17/2012	2.00
5/22/2012	2.00
5/31/2012	1.00
6/5/2012	1.00
6/7/2012	1.75
6/8/2012	1.00
6/12/2012	1.50
6/13/2012	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

6/14/2012	1.00
6/18/2012	1.75
6/21/2012	.75
6/22/2012	1.00
6/25/2012	1.75
7/2/2012	1.25
7/6/2012	1.00
7/9/2012	1.00
7/11/2012	1.50
7/19/2012	1.00
7/24/2012	1.50
7/27/2012	1.75
7/30/2012	2.50
8/3/2012	2.00
8/6/2012	1.50
8/8/2012	1.00
8/9/2012	1.25
8/13/2012	1.00
8/15/2012	2.00
8/20/2012	1.50
8/24/2012	2.00
8/28/2012	1.25
8/29/2012	1.00
9/4/2012	.75
9/5/2012	1.00
9/6/2012	1.75
9/10/2012	1.00
9/12/2012	.75
9/13/2012	1.50
9/17/2012	1.50
9/20/2012	1.00
9/25/2012	2.50
9/26/2012	.50
9/28/2012	.75
10/3/2012	.75
10/9/2012	1.50
10/11/2012	.25
10/12/2012	1.25
10/18/2012	1.00
10/19/2012	.50
10/23/2012	.75
10/25/2012	1.25
10/29/2012	1.50
11/8/2012	.75
11/9/2012	1.00
11/14/2012	1.50
11/16/2012	1.00
11/19/2012	1.50

Electronic Filing: Received, Clerk's Office 6/1/2017

11/20/2012	1.00
11/27/2012	2.00
11/28/2012	1.00
11/29/2012	.75
12/3/2012	1.00
12/4/2012	1.25
12/6/2012	2.00
12/10/2012	1.00
12/11/2012	.50
12/13/2012	.75
12/17/2012	1.25
12/19/2012	2.00
12/27/2012	2.25
1/2/2013	1.00
1/4/2013	2.00
1/7/2013	1.50
1/9/2013	1.00
1/11/2013	1.25
1/14/2013	1.00
1/16/2013	2.00
1/24/2013	2.00
1/25/2013	1.00
1/29/2013	2.00
1/31/2013	2.00
2/7/2013	1.00
2/8/2013	2.00
2/11/2013	1.50
2/15/2013	1.25
2/18/2013	1.25
2/22/2013	2.00
2/25/2013	.50
2/28/2013	2.00
3/1/2013	.75
3/4/2013	2.00
3/7/2013	1.50
3/11/2013	1.25
3/13/2013	1.50
3/14/2013	1.00
3/20/2013	2.00
3/21/2013	1.00
3/22/2013	2.00
3/27/2013	2.00
3/28/2013	1.25
4/1/2013	1.50
4/5/2013	1.00
4/9/2013	2.00
4/15/2013	1.75
4/18/2013	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

4/19/2013	1.00
4/23/2013	1.00
4/24/2013	1.00
4/26/2013	1.25
5/1/2013	1.00
5/3/2013	1.00
5/6/2013	1.00
5/9/2013	2.00
5/20/2013	1.00
5/23/2013	1.25
5/30/2013	1.00
6/4/2013	2.00
6/6/2013	1.75
6/7/2013	1.00
6/10/2013	2.00
6/13/2013	2.00
6/17/2013	1.00
6/18/2013	1.00
7/2/2013	2.00
7/3/2013	1.00
7/5/2013	1.00
7/9/2013	2.00
7/13/2013	1.00
7/15/2013	1.00
7/18/2013	2.00
7/25/2013	3.00
7/30/2013	2.00
8/2/2013	2.00
8/6/2013	2.50
8/8/2013	1.00
8/13/2013	1.00
8/15/2013	3.00
8/19/2013	1.00
8/22/2013	1.75
8/23/2013	2.00
8/27/2013	2.00
8/28/2013	2.00
8/30/2013	2.50
9/3/2013	.50
9/4/2013	1.00
9/6/2013	2.00
9/11/2013	2.00
9/13/2013	2.00
9/15/2013	1.00
9/17/2013	1.00
9/19/2013	1.00
9/20/2013	1.00
9/21/2013	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

10/24/2013	2.00
10/25/2013	1.00
12/9/2013	1.00
12/10/2013	1.00
12/17/2013	1.00
12/19/2013	2.00
12/20/2013	1.25
12/26/2013	1.50
12/27/2013	1.00
12/31/2013	1.50
1/2/2014	1.00
1/10/2014	1.75
1/13/2014	2.00
1/20/2014	1.00
1/23/2014	1.75
1/28/2014	1.00
1/30/2014	2.00
2/6/2014	1.00
2/7/2014	2.00
2/12/2014	3.00
2/14/2014	1.00
2/17/2014	1.00
2/19/2014	2.00
2/21/2014	1.50
2/25/2014	2.25
3/4/2014	2.00
3/5/2014	.50
3/6/2014	1.50
4/8/2014	1.00
4/11/2014	1.25
4/15/2014	2.00
4/21/2014	2.00
4/29/2014	1.00
4/30/2014	1.00
5/1/2014	1.25
5/6/2014	1.00
5/8/2014	2.00
5/12/2014	1.00
5/15/2014	1.75
5/21/2014	1.00
5/22/2014	1.00
5/28/2014	1.75
5/29/2014	2.00
6/2/2014	1.00
6/4/2014	1.50
6/9/2014	1.50
6/11/2014	1.25
6/17/2014	1.25

Electronic Filing: Received, Clerk's Office 6/1/2017

6/25/2014	2.25
7/26/2014	1.00
8/4/2014	2.00
8/13/2014	3.00
8/15/2014	2.00
8/18/2014	2.00
8/19/2014	2.00
8/25/2014	2.00
8/29/2014	2.00
9/3/2014	2.00
9/5/2014	1.00
9/9/2014	2.00
9/11/2014	2.00
9/19/2014	1.00
9/24/2014	3.00
9/29/2014	3.00
10/9/2014	3.00
10/22/2014	2.00
10/24/2014	2.00
10/27/2014	1.00
10/29/2014	2.00
10/31/2014	1.00
11/5/2014	3.00
11/11/2014	3.00
11/18/2014	2.00
11/26/2014	2.00
11/20/2014	2.00
12/2/2014	2.00
12/4/2014	1.00
12/10/2014	2.00
12/12/2014	2.00
12/15/2014	2.00
12/19/2014	2.00
12/23/2014	3.00
12/30/2014	2.00
1/8/2015	1.00
1/17/2015	1.00
1/19/2015	1.00
1/23/2015	1.00
12/23/2014	-3.00
1/8/2015	-1.00
1/17/2015	-1.00
1/19/2015	-1.00

Total for 623

442.25

Task: 637 High Priority Site Activities

12/28/2010	1.00
12/29/2010	2.00
12/23/2014	3.00

Electronic Filing: Received, Clerk's Office 6/1/2017

	1/8/2015	1.00
	1/17/2015	1.00
	1/19/2015	1.00
Total for 637		9.00

Task: 638 Corrective Action Completion

11/9/2010	2.00
11/10/2010	.50
11/11/2010	.50
11/12/2010	.75
11/15/2010	1.00
11/16/2010	1.00
11/17/2010	1.00
11/19/2010	2.00
11/30/2010	.25
12/1/2010	.50
12/2/2010	1.00
12/3/2010	.50
12/7/2010	2.00
12/8/2010	1.00
12/9/2010	2.00
12/10/2010	1.00
12/13/2010	2.00
12/14/2010	2.00
12/20/2010	1.00
12/21/2010	1.00
12/22/2010	2.00
1/3/2011	1.25
1/6/2011	1.00
1/7/2011	1.00
1/8/2011	1.00
1/9/2011	.50
1/10/2011	.25
1/12/2011	1.00
1/13/2011	.75
1/14/2011	.50
1/17/2011	1.00
1/20/2011	1.00
1/21/2011	1.00
1/24/2011	1.00
1/27/2011	1.75
1/31/2011	1.50
2/2/2011	1.00
2/3/2011	1.50
2/4/2011	1.75
2/7/2011	2.00
2/8/2011	1.00
2/9/2011	2.00
2/10/2011	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

2/11/2011	1.50
2/14/2011	1.00
2/15/2011	.50
2/18/2011	2.00
2/21/2011	1.00
2/28/2011	.50
3/1/2011	2.50
3/2/2011	.25
3/4/2011	1.00
3/7/2011	1.00
3/8/2011	2.00
3/9/2011	1.00
3/10/2011	1.00
3/14/2011	2.00
3/17/2011	1.00
3/18/2011	1.00
3/21/2011	1.00
3/23/2011	.50
3/24/2011	1.00
3/29/2011	.50
3/30/2011	1.00
3/31/2011	1.00
4/5/2011	2.00
4/7/2011	1.00
4/8/2011	1.00
4/11/2011	1.00
4/12/2011	1.00
4/19/2011	1.00
4/20/2011	1.00
4/25/2011	1.00
4/26/2011	2.00
4/28/2011	1.00
4/29/2011	1.25
5/2/2011	1.00
5/4/2011	1.00
5/9/2011	1.00
5/10/2011	1.50
5/13/2011	1.00
5/16/2011	2.00
5/19/2011	1.50
5/23/2011	1.00
5/24/2011	2.00
5/25/2011	1.00
5/26/2011	2.00
5/27/2011	2.00
5/31/2011	.75
6/1/2011	.50
6/2/2011	1.00

Electronic Filing: Received, Clerk's Office 6/1/2017

6/6/2011	.25
6/9/2011	.50
6/13/2011	1.00
6/15/2011	.50
6/17/2011	1.00
6/20/2011	1.00
6/21/2011	1.00
6/22/2011	1.00
6/28/2011	1.00
6/30/2011	.25
7/1/2011	.25

Total for 638

114.25

Task: 650 Field Remedial Activities

9/9/2015	1.00
9/22/2015	2.00
11/5/2015	3.00
11/12/2015	2.00
11/17/2015	2.00
11/20/2015	2.00
11/25/2015	2.00
12/3/2015	2.50
1/27/2016	2.00
1/29/2016	1.00
2/2/2016	4.00
2/10/2016	2.00
2/18/2016	2.00
2/19/2016	3.00
2/24/2016	3.00
2/26/2016	1.00
3/11/2016	2.00
3/14/2016	1.00
3/16/2016	3.00
3/18/2016	1.00
3/21/2016	1.00
3/22/2016	3.00
3/30/2016	3.00
4/1/2016	2.00
4/4/2016	2.00
4/5/2016	3.00
4/12/2016	2.25
4/14/2016	2.00
4/19/2016	3.00
4/20/2016	2.25
4/25/2016	1.00
4/26/2016	2.00
4/28/2016	1.00
4/29/2016	1.00
5/6/2016	2.00

Electronic Filing: Received, Clerk's Office 6/1/2017

	5/10/2016	2.25
	5/19/2016	4.00
	5/23/2016	2.00
	6/1/2016	2.00
	6/7/2016	3.00
	6/9/2016	2.00
	6/30/2016	1.00
	7/1/2016	4.00
	7/5/2016	2.75
	7/8/2016	3.00
	7/13/2016	4.00
	7/20/2016	1.00
Total for 650		103.00
Total for 100		671.00
Project R12621001.0 Totals		671.00
Total for Jones, J. Mike		671.00
Final Totals		671.00

Reviewed by: James R. Malcom, III

File Heading: LPC #0290255079- Coles County
Mattoon/ Webb & Sons, Inc.

Date: February 21, 2017

1201 DeWitt Avenue
LUST Incident#931126 & 20021577
LUST Technical File

Document(s) Reviewed:

Amended CAP & Budget – February 15, 2017

General Site Information:

IEMA: 05/03/1993 & 10/30/2002

Size and Product of Tanks: (1) 1K Gasoline (1) 2K Gasoline (1) 10K Diesel (1) 4K diesel (1) 5K kerosene (1) 1K kerosene (1) 2K Heating Oil

UST System removed: Yes

Encountered Groundwater (Y/N): Yes

Free Product (Y/N) No

Current/Past Land Use: Vacant Lot

Reimbursement (Y/N/unknown): No

OSFM Fac. ID #

Division File Information (Optional): (Arranged chronologically)

45 Day Report Review Note Comments:

Corrective Action Activities:

Site Classification Work Plan:

Stage 1 Investigation:

Stage 2 and 3 Site Investigation Plans:

Site Investigation Completion Report:

Corrective Action Plan:

The CAP proposes to use an HAA to address off-site soil contamination. All existing wells were resampled 06/21/2016 with no groundwater contamination noted.

Corrective Action Completion Report:

Free Product Report:

Vapor Intrusion Evaluation:

VI investigation not required as no groundwater contamination remains at the site.

Miscellaneous Information:

The site is in an ordinance area. The following are being proposed to address the remaining soil and groundwater contamination:

I/C land Use Restriction

Groundwater Ordinance

HAA for 12th Street

Budget Review:

The budget proposes costs already approved in previously approved budgets without any documentation of these new costs!!

Project Manager's Recommendation:

Deny CAP, the work proposed has already been approved in previous plans, deny budget, did not publically bid out the pavement work, the work has already been approved in previous budgets.

Response Due:

June 14, 2017



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217/524-3300

CERTIFIED MAIL

7014 2120 0002 3292 4395

MAR 29 2017

Ms. Doris Webb
8687 East 150 North
Lerna, Illinois 62240

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

Dear Ms. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan (plan) submitted for the above-referenced incident. This plan, dated February 14, 2017 was received by the Illinois EPA on February 15, 2017. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

The plan is rejected for the reason(s) listed below (Sections 57.7(b)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(a)):

1. The Illinois EPA has approved Corrective Actions Plans on September 12, 2006, November 5, 2007 and May 31, 2007. The plan received February 15, 2017 proposed work that has already been approved in these three previous plans.

Please note, a vapor intrusion investigation will not be required at this site.

In addition, the budget is rejected for the reason(s) listed in Attachment A (Sections 57.7(b)(3) and 57.7(c)(4) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(b)).

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Pursuant to Sections 57.7(b)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.100 and 734.125, the Illinois EPA requires that a Corrective Action Completion Report be submitted within 90 days to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need further assistance, please contact James R. Malcom at 217-524-9140.

Sincerely,



Michael T. Lowder
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

MTL:jrm

Attachment: Budget Denial Attachment

cc: MSA Professional Services (electronic copy), Toni Laros (tlaros@msu-ps.com)
BOL File

Attachment A

Re: LPC #0290255079 -- Coles County
Mattoon/ Webb & Sons, Inc.
1201 DeWitt Avenue
Leaking UST Incident No. 20021577 & 931126
Leaking UST Technical File

Citations in this attachment are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

1. It appears that the personnel cost in the proposed budget are for corrective action tasks that were approved in previous plans and budgets, specifically in Illinois EPA letters dated September 12, 2006, November 5, 2007 and May 31, 2007. It should also be noted that the May 31, 2007 Illinois EPA letter included the amount awarded to Web & Sons, Inc. by the Illinois Pollution Control Board in the appeal for personnel cost for corrective action activities in this project. Since this date, no additional corrective action plan has been approved by the Illinois EPA. The groundwater sampling outlined in the plan received February 15, 2017 was not previously approved in a corrective action plan. Additional costs associated with work previously approved should not be included in any future budgets.

If additional work was needed to complete the corrective action as approved by the Illinois EPA beyond the scope of work in the corrective action plans, then additional documentation will need to be submitted to the Illinois EPA to support the additional costs. This documentation must include the specific reason and/or additional tasks that needed to be performed, technical justification, and amount of time associated with said reason or task for the additional cost requested. For work that has already been completed the documentation must include dates, times, personnel names and titles and the specific task descriptions.

2. The budget includes costs for pavement that were obtained via bidding. Pursuant to 35 Ill. Adm. Code 734.855(a), bids must be obtained only from persons qualified and able to perform the work being bid. In order to determine compliance with this provision, information must be provided demonstrating that the bidders are persons qualified and able to perform the work being bid. (Sections 57.1(a) and 57.7(c)(3) of the Act)

The 3 bids submitted for review were not obtained in accordance with the bidding requirements outlined under 734.855.

The cost associated with pavement was approved in 2006, pursuant to 734.870(d)(1) rates cannot be raised when the work is performed years after the budget was approved.

3. The budget includes costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that costs will not be used for activities in excess of those necessary to meet the minimum requirements of Title XVI of the Act therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

The personnel costs submitted for review lacked sufficient documentation in regards to personnel hours and job descriptions provided for those personnel hours. The Illinois EPA will require a more detailed job description associated with the proposed personnel hours. The personnel cost proposed in the budget exceed the minimum requirements necessary to comply with the Act. Costs associated with site investigation and corrective action activities and associated materials or services exceeding the minimum requirements necessary to comply with the Act are not eligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o). The personnel cost proposed in the budget are deemed not reasonable as submitted. Such costs are ineligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(dd).

jrm

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation state the following:

That I have served the attached **CERTIFICATE OF RECORD ON APPEAL and the accompanying documents comprising the entire record of the Respondent's decision** by e-mail upon Jennifer M. Martin at the e-mail address of Jennifer.Martin@heplerbroom.com and upon Hearing Officer Carol Webb at the e-mail address of Carol.Webb@Illinois.gov.

That my e-mail address is Scott.Sievers@Illinois.gov.

That the number of pages in the e-mail transmission is two hundred and six (206).

That the e-mail transmission took place before 7:00 p.m. on the date of June 1, 2017.

/s/Scott B. Sievers

June 1, 2017