

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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STATE OF ILLINOIS  
Pollution Control Board

SANGAMON VALLEY FARM SUPPLY, )  
Petitioner )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and, )  
VILLAGE OF SAYBROOK , )  
Respondents. )

PCB No. 2006-043  
(Petition for Water Well  
Setback Exception)

**RESPONDENT ILLINOIS EPA'S POST-HEARING BRIEF**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by Joey Logan-Wilkey, one of its attorneys, and respectfully submits its POST-HEARING BRIEF ("Brief") in the above-captioned matter. This Brief is being filed pursuant to the schedule agreed to by the parties and the Hearing Officer for the Illinois Pollution Control Board ("Board"), and memorialized in the Hearing Officer's Order of September 21, 2006. For it's Brief, the Illinois EPA states as follows:

1. On September 19, 2005, the Petitioner, Sangamon Valley Farm Supply ("SVFS"), filed its Petition for Water Well Setback Exception ("Petition") with the Board for its former gasoline service station facility ("Facility") in Saybrook, McLean County, Illinois. The water well setback exception is sought by SVFS to enable it to utilize direct push technology to remediate a release of petroleum hydrocarbons to the ground at the Facility.

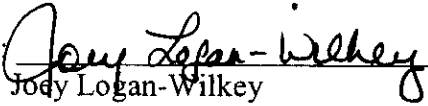
2. On October 11, 2005, the Illinois EPA filed its Response to Petitioner's Petition for Community Well Setback Exception ("Response"), pursuant to 35 Ill. Adm. Code 106.306(a). In its Response, the Illinois EPA recommended that the Board grant the exception, subject to the following conditions:
  - a). SVFS revise the Petition to include all of Saybrook's community wells, with all of the wells having a 400-foot minimum setback zone;
  - b). SVFS provide more recent monitoring results, demonstrating the effectiveness of previous ORC injections;
  - c). Provide a monitoring program and schedule for monitoring contaminants of concern and other general water quality parameters;
  - d). Include quarterly raw water monitoring from Saybrook's well #3, as part of the monitoring program;
  - e). Provide a revised economic analysis demonstrating that ORC injection is the most economical means of achieving the required remediation; and
  - f). Provide a plan for regular meetings with Saybrook public water supply personnel to discuss any water quality complaints or treatment issues.
3. On November 7, 2005, the Hearing Officer issued an order in this matter, requesting additional information requested by the Illinois EPA in its Recommendation, as well as written answers to questions posed by the Board. In response to the Illinois EPA's request in its Recommendation, and the questions posed by the Board in the November 7, 2005, Hearing Officer Order, on March 31, 2006, SVFS filed an Amended Petition for Community Well Setback Exception.

4. On April 24, 2006, the Illinois EPA filed a Response to the Amended Petition, recommending that the Board grant the Petition filed by SVFS. On August, 9, 2006, the Board held a public hearing in this matter. At that time, SVFS presented the testimony of one witness, and introduced into the hearing record the information concerning the effectiveness of the direct push remediation technique, as well as the information concerning the environmental impact/hazard to the potable water supply wells from the remediation technique. That information was ultimately admitted into the record as evidence. During the hearing, one Illinois EPA witness also responded to questions posed by the Hearing Officer.

WHEREFORE, the Respondent Illinois EPA respectfully recommends that the Board grant the water well setback exception request of the Petitioner SVFS, on the condition that it continue the proposed remediation activities until such time as a minimum of two (2) consecutive quarters of sampling indicate no exceedance of a Class I: Potable Resource Groundwater Standard (35 Ill. Adm. Code 620.410), or an applicable remedial objective pursuant to 35 Ill. Adm. Code 742, after which bioremediation efforts may be considered complete. The Illinois EPA notes that the information regarding the proposed bioremediation plan the Illinois EPA requested of SVFS was ultimately entered into the record at the hearing as evidence.

Dated: October 26, 2006  
ILLINOIS EPA  
1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276  
217/782-5544

Respectfully submitted,  
ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Jody Logan-Wilkey  
Assistant Counsel  
Division of Legal Counsel

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**CERTIFICATE OF SERVICE**

I, Joey Logan-Wilkey, certify that I have served the original and nine copies of the attached **Respondent Illinois EPA's Post-Hearing Brief**, by first class mail, upon:

STATE OF ILLINOIS  
Pollution Control Board

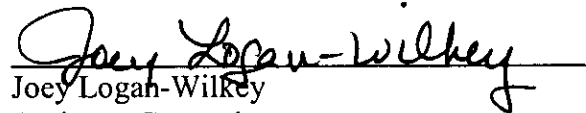
Ms. Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, IL 60601

And one copy each, to

Charles J. Northrup  
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Mr. Ronald E. Stauffer, Mayor  
Village of Saybrook  
234 West Lincoln Street  
Post Office Box 357  
Saybrook, Illinois 61770-0357

via first class United States mail from Springfield, Illinois, on the 26<sup>th</sup> day of October 2006, with postage fully prepaid.

  
Joey Logan-Wilkey  
Assistant Counsel  
Division of Legal Counsel

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**