

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

MAR 13 2015

STATE OF ILLINOIS  
Pollution Control Board

NORM CREVELING,  
Petitioner,



ORIGINAL

v.

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,  
Respondent.

PCB 15- 169  
(LUST Appeal – Ninety Day  
Extension)

NOTICE

John Therriault  
Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

Toni Laros  
MSA Professional Services  
201 West Springfield Avenue, Suite 400  
Champaign, Illinois 61820

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

James G. Richardson  
Deputy General Counsel

Dated: March 11, 2015  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER



**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**RECEIVED**  
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MAR 13 2015

STATE OF ILLINOIS  
Pollution Control Board

NORM CREVELING, )  
Petitioner, )  
 )  
 v. )  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 Respondent. )

PCB No. 15- 169  
(LUST Appeal – Ninety Day Extension)

**REQUEST FOR NINETY DAY EXTENSION**  
**OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, James G. Richardson, Deputy General Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to June 19, 2015, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On February 11, 2015, the Illinois EPA issued a final decision to the Petitioner.
2. On March 10, 2015, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days. Upon information and belief, the Petitioner received the final decision on or about February 14, 2015.

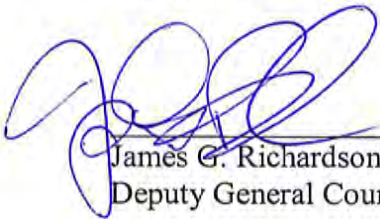


3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Deputy General Counsel

Dated: March 11, 2015

1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
217/782-9143 (TDD)

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**





# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 524-3300

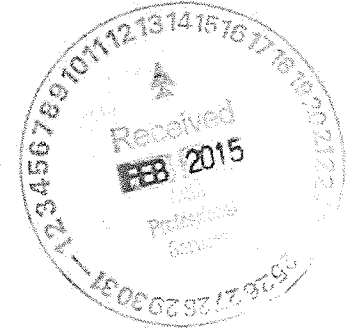
CERTIFIED MAIL

FEB 11 2015

7009 3410 0002 3750 9295

Norm Creveling  
302 S. Railroad Ave.  
Buckley, IL 60918

Re: LPC #0750155001 – Iroquois County  
Buckley/Norm Creveling  
302 S. Railroad Ave.  
Leaking UST Incident #20002212  
Leaking UST Technical File



Dear Mr. Creveling:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan and Corrective Action Plan Budget submitted for the above-referenced incident. The Corrective Action Plan, dated 10/08/2014, was received by the Illinois EPA on 10/14/2014. The Corrective Action Plan Budget is located in Appendix I of the Corrective Action Plan.

The Illinois EPA has determined that the activities proposed in the Corrective Action Plan are appropriate to demonstrate compliance with Title XVI of the Environmental Protection Act (Act). Therefore, pursuant to Sections 57.7(b)(2) and 57.7(c) of the Act and 35 Illinois Administrative Code (35 Ill. Adm. Code) 734.505(b) and 734.510(a), the Corrective Action Plan is approved. All activities associated with the remediation of this release proposed in the Corrective Action Plan must be executed in accordance with all applicable regulatory and statutory requirements, including compliance with the proper permits.

As set forth in Attachment A of this letter, the Illinois EPA has determined that the use of a project labor agreement (PLA) is required. A *Standard Project Labor Agreement for UST Fund Corrective Action Work* (model PLA) is available on the Illinois EPA's Leaking Underground Storage Tank Program website. This model PLA has been reviewed and approved by the AFL-CIO Statewide PLA Committee (PLA Committee), which is the central committee authorized by all respective crafts to negotiate and sign PLAs on behalf of the crafts. You must submit a signed copy of the model PLA to the PLA Committee at the following address for the PLA Committee's execution:

Michael T. Carrigan, President  
Illinois AFL-CIO  
534 South Second St., Suite 200  
Springfield, IL 62701-1764

Once the PLA has been fully executed, a copy will be returned to the environmental consultant

4302 N. Main St., Rockford, IL 61103 (815) 987-7760  
595 S. State, Elgin, IL 60123 (847) 608-3131  
2125 S. First St., Champaign, IL 61820 (217) 278-5800  
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

retained by the underground storage tank (UST) owner or operator so the environmental consultant will know when work conducted under the PLA may begin.

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), the Corrective Action Plan Budget is modified. Based on the modification listed in Section 2 of Attachment B of this letter, the amounts listed in Section 1 of Attachment B of this letter have been approved. However, it should be noted that the amount of payment from the Underground Storage Tank 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.

If the use of a PLA will impact the project costs, a revised Corrective Action Plan Budget may be submitted for Illinois EPA review. Pursuant to 35 Ill. Adm. Code 734.800(a)(2), if the project costs exceed the maximum payment amounts set forth in 35 Ill. Adm. Code 734.Subpart H, one or more maximum payment amounts may be determined via bidding in accordance with 35 Ill. Adm. Code 734.855. The requirement for a PLA must be part of the invitation for bid.

As more fully set forth in Attachment A of this letter, applications for payment from the UST Fund must include a certification signed by the UST owner or operator stating that work for which a PLA is required was performed under a PLA. The environmental consultant should provide a copy of the fully executed PLA to the UST owner or operator so the UST owner or operator will be able to make the certification.

Pursuant to Sections 57.7(b)(5), 57.12(c), and 57.12(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 30 days after completion of the Corrective Action 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 Corrective Action 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.

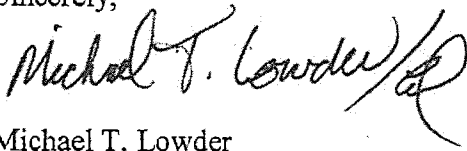
An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.

If you have any questions or need assistance, please contact Trent Benanti at (217) 524-4649.



Page 3

Sincerely,

A handwritten signature in black ink that reads "Michael T. Lowder" followed by a stylized flourish.

Michael T. Lowder  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

Attachments: Attachment A  
Attachment B  
Appeal Rights

c: Antonia Laros (MSA Professional Services)  
BOL File

Attachment A

Re: LPC #0750155001 – Iroquois County  
Buckley/Norm Creveling  
302 S. Railroad Ave.  
Leaking UST Incident #20002212  
Leaking UST Technical File

**NOTICE OF PROJECT LABOR AGREEMENT REQUIREMENT**

Please be advised that, pursuant to Section 57.7(c)(3) of the Environmental Protection Act (415 ILCS 5/57.7(c)(3)), the Illinois EPA has determined that a project labor agreement (PLA) is required for the work included in the Corrective Action Plan for which the UST owner or operator is seeking payment from the Underground Storage Tank (UST) Fund. The basis for the Illinois EPA's determination that a PLA is required for the project is set forth, as follows:

1. Use of a PLA will advance the State's interest in labor continuity and stability in completing the project work in accordance with the plan approved by the Illinois EPA.
2. Use of a PLA will advance the State's interest in performance of the project work by a skilled labor force, thereby achieving the remediation objectives of the project.
3. Use of a PLA will advance the State's interest of advancing minority-owned and women-owned business and minority and female employment.

A PLA is not required for project work for which no payment from the UST Fund is being requested.

Pursuant to Section 57.8 of the Environmental Protection Act (415 ILCS 5/57.8), applications for payment from the UST Fund must include a certification signed by the UST owner or operator stating that the work was (i) performed under a PLA that meets the requirements of Section 25 of the Project Labor Agreements Act and (ii) implemented in a manner consistent with the terms and conditions of the Project Labor Agreements Act and in full compliance with all statutes, regulations, and Executive Orders as required under that Act and the Prevailing Wage Act (820 ILCS 130).

Attachment B

Re: LPC #0750155001 – Iroquois County  
Buckley/Norm Creveling  
302 S. Railroad Ave.  
Leaking UST Incident #20002212  
Leaking UST Technical File

**Section 1**

The Corrective Action Plan Budget was previously approved for:

\$ 0.00	Drilling and Monitoring Well Costs
\$ 0.00	Analytical Costs
\$ 0.00	Remediation and Disposal Costs
\$ 0.00	UST Removal and Abandonment Costs
\$ 0.00	Paving, Demolition, and Well Abandonment Costs
\$31,099.00	Consulting Personnel Costs
\$ 0.00	Consultant's Materials Costs

Based on the modifications listed in Section 2 of this Attachment B the following amounts are approved:

\$ 5,495.90	Drilling and Monitoring Well Costs
\$ 801.49	Analytical Costs
\$ 567.28	Remediation and Disposal Costs
\$ 0.00	UST Removal and Abandonment Costs
\$14,831.25	Paving, Demolition, and Well Abandonment Costs
\$ 0.00	Consulting Personnel Costs
\$ 3,583.68	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.

Therefore, the total cumulative Corrective Action Plan Budget is approved for:

\$ 5,495.90	Drilling and Monitoring Well Costs
\$ 801.49	Analytical Costs
\$ 567.28	Remediation and Disposal Costs
\$ 0.00	UST Removal and Abandonment Costs
\$14,831.25	Paving, Demolition, and Well Abandonment Costs
\$31,099.00	Consulting Personnel Costs
\$ 3,583.68	Consultant's Materials Costs

## Section 2

1. For costs not approved by the Illinois EPA in writing prior to the date the costs are incurred, the applicable maximum payment amounts must be the amounts in effect on the date the costs were incurred (35 Ill. Adm. Code 734.870(d)(2)).
  - (a) HDC Engineering, Inc. used a direct push drilling machine to drill one soil boring (RBCA 1) on 07/06/2006. The minimum payment amount for the time period between 07/01/2006 and 06/30/2007 is \$1,233.48. The Drilling and Monitoring Well Costs Form lists a minimum payment amount of \$1,457.81. Therefore, the Illinois EPA deducted \$224.33 from the Drilling and Monitoring Well Costs.
  - (b) MSA Professional Services used a direct push drilling machine to drill one soil boring (B45) on 01/23/2013. The minimum payment amount for the time period between 07/01/2012 and 06/30/2013 is \$1,403.96. The Drilling and Monitoring Well Costs Form lists a minimum payment amount of \$1,457.81. Therefore, the Illinois EPA deducted \$53.85 from the Drilling and Monitoring Well Costs.
  - (c) MSA Professional Services use a direct push drilling machine to drill two soil borings (B46 and B47) on 01/16/2014. The minimum payment amount for the time period between 07/01/2013 and 06/30/2014 is \$1,429.23. The Drilling and Monitoring Well Costs Form lists a minimum payment amount of \$1,457.81. Therefore, the Illinois EPA deducted \$28.58 from the Drilling and Monitoring Well Costs.
  - (d) MSA Professional Services used a direct push drilling machine to drill one soil boring (B48) on 05/23/2014. The minimum payment amount for the time period between 07/01/2013 and 06/30/2014 is \$1,429.23. The Drilling and Monitoring Well Costs Form lists a minimum payment amount of \$1,457.81. Therefore, the Illinois EPA deducted \$28.58 from the Drilling and Monitoring Well Costs.
  - (e) MSA Professional Services submitted one soil sample from soil boring B46 and one soil sample from soil boring B47 to Prairie Analytical Systems, Inc. Prairie Analytical Systems, Inc. analyzed both soil samples for benzene, toluene, ethylbenzene, and total xylenes (collectively referred to as BTEX) in accordance with SW-846 8260B. The maximum payment amounts for BTEX soil analysis and sample shipping for the time period between 07/01/2013 and 06/30/2014 are \$101.24 and \$59.55. Therefore, the Illinois EPA deducted \$5.23 from the Analytical Costs.
  - (f) MSA Professional Services submitted one soil sample from soil boring B48 to Prairie Analytical Systems, Inc. Prairie Analytical Systems, Inc. analyzed the soil sample for benzene, toluene, ethylbenzene, and total xylenes (collectively referred to as BTEX) in accordance with SW-846 8260B. The maximum payment amounts for BTEX soil analysis and sample shipping for the time period between 07/01/2013 and 06/30/2014 are \$101.24 and \$59.55. Therefore, the Illinois EPA deducted \$3.21 from the Analytical Costs.

- (g) HDC Engineering, Inc. submitted one soil sample from soil boring RBCA 1 to Great Lakes Analytical. TestAmerica Analytical Testing Corporation determined the fraction organic carbon (0.0155 g/g) in accordance with American Society for Testing and Materials (ASTM) D2974-87. STS Consultants Ltd. determined the moisture content in accordance with ASTM D2216, dry soil bulk density in accordance with ASTM D2937, and specific gravity in accordance with ASTM D854. The maximum payment amounts for fraction organic carbon, moisture content, dry soil bulk density, and sample shipping for the time period between 07/01/2006 and 06/30/2007 are \$39.06, \$12.33, \$22.61, and \$51.40. Therefore, the Illinois EPA deducted \$22.80 from the Analytical Costs.
- (h) MSA Professional Services collected two groundwater samples (MW2-F and MW2-T) from groundwater monitoring well MW2 on 01/23/2013. Prairie Analytical Systems, Inc. filtered groundwater sample MW2-F and analyzed both groundwater samples for lead in accordance with SW-846 Method 6010B. The maximum payment amounts for water preparation, lead water analysis, and sample shipping for the time period between 07/01/2012 and 06/30/2013 are \$12.86, \$21.06 and \$58.50. Therefore, the Illinois EPA deducted \$4.84 from the Analytical Costs.
- (i) MSA Professional Services submitted one soil sample from soil boring B45 to Prairie Analytical Systems, Inc. Prairie Analytical Systems, Inc. determined the pH in accordance with SW-846 Method 9045C and analyzed soil sample B45-4 for total lead in accordance with SW-846 Method 6020A. The maximum payment amounts for pH, soil preparation, and total lead soil analysis for the time period between 07/01/2012 and 06/30/2013 are \$16.38, \$18.71, and \$18.71. Therefore, the Illinois EPA deducted \$2.06 from the Analytical Costs.

FYI – The maximum payment amount for sample shipping includes all samples (soil and groundwater) collected in a calendar day. Soil sample B45-4 was collected on the same day as groundwater samples MW2-F and MW2-T.

- (j) One drum of solid waste was disposed in 06/2011. The minimum payment amount for the time period between 07/01/2010 and 06/30/2011 is \$567.28. The Corrective Action Plan Budget lists a minimum payment amount of \$607.42. Therefore, the Illinois EPA deducted \$40.14 from the Remediation and Disposal Costs.
- (k) The maximum hourly rate for a Professional Engineer for the time period between 03/01/2006 and 06/30/2006 is \$110.00. The Consulting Personnel Costs Form lists an hourly rate of \$115.00 for a Professional Engineer for the time period between 01/01/2003 and 12/31/2003.
- (l) The maximum hourly rate for a Scientist III for the time period between 03/01/2006 and 06/30/2006 is \$70.00. The Consulting Personnel Costs Form lists an hourly rate of \$72.00 for a Scientist III for the time period between 01/01/2004 and 12/31/2004.

- (m) The maximum hourly rate for a Scientist II for the time period between 03/01/2006 and 06/30/2006 is \$65.00. The Consulting Personnel Costs Form lists an hourly rate of \$70.00 for a Scientist II for the time period between 01/01/2005 and 12/31/2005.
- (n) The maximum hourly rate for a Scientist IV for the time period between 03/01/2006 and 06/30/2006 is \$75.00. The maximum hourly rate for a Scientist IV for the time period between 07/01/2006 and 06/30/2007 is \$77.09. The Consulting Personnel Costs Form lists an hourly rate of \$84.00 for a Scientist IV for the time period between 01/01/2006 and 12/31/2006.
- (o) The maximum hourly rate for a Scientist III for the time period between 03/01/2006 and 06/30/2006 is \$70.00. The maximum hourly rate for a Scientist III for the time period between 07/01/2006 and 06/30/2007 is \$71.95. The Consulting Personnel Costs Form lists an hourly rate of \$78.00 for a Scientist III for the time period between 01/01/2006 and 12/31/2006.
- (p) The maximum hourly rate for a Scientist II for the time period between 03/01/2006 and 06/30/2006 is \$65.00. The maximum hourly rate for a Scientist II for the time period between 07/01/2006 and 06/30/2007 is \$66.81. The Consulting Personnel Costs Form lists an hourly rate of \$70.00 for a Scientist II for the time period between 01/01/2006 and 12/31/2006.
2. The Consulting Personnel Costs Form contains a title (Project Engineer) that is not listed in 35 Ill. Adm. Code 734. Appendix E. Therefore, the Illinois EPA cannot determine the appropriate maximum hourly rate.
3. Costs that lack supporting documentation are ineligible for payment from the Fund (35 Ill. Adm. Code 734.630(cc)). Because there is no supporting documentation, the Illinois EPA cannot determine whether the costs will be used for activities in excess of those necessary to meet the minimum requirements of Title XVI of the Act. Costs that will 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 are not approved pursuant to Section 57.7(c)(3) of the Act.
- (a) The Consulting Personnel Costs Form contains Senior Project Manager costs for site visits for the time period between 01/01/2001 and 12/31/2002.

Received	Item Description	Item Date
NA	Early Action Extension Approval Letter	01/17/2001
01/18/2001	45-Day Report	01/17/2001
NA	Illinois EPA Letter	02/13/2001
03/23/2001	45-Day Report	03/19/2001
NA	Illinois EPA Letter	04/20/2001
05/30/2001	Site Classification Work Plan	04/02/2001
	Site Classification Work Plan Budget	03/30/2001

Received	Item Description	Item Date
NA	Illinois EPA Letter	09/27/2001
10/25/2001	Site Classification Work Plan Budget	10/12/2001
NA	Illinois EPA Letter	02/22/2002
08/19/2002	Site Classification Completion Report	08/08/2002
08/20/2002	Site Classification Work Plan Budget	08/08/2002
NA	Illinois EPA Letter	12/17/2002
NA	Illinois EPA Letter	12/18/2002
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003

The site visits were likely conducted during early action and site classification. However, site visits conducted in late 2002 may have been conducted during preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, dated 08/20/2003. In a letter, dated 01/09/2004, the Illinois EPA approved sufficient Personnel Costs (\$9,900.00) for preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, oversight of the twenty-three proposed soil borings, collection of forty-six soil samples, collection of four groundwater samples, and preparation of a billing package.

- (b) The Consulting Personnel Costs Form contains Senior Project Manager and Scientist III costs for preparation of an off-site access plan, off-site access coordination, and off-site access planning for the time period between 01/01/2001 and 12/31/2002. Considering that the High Priority Corrective Action Plan, dated 08/20/2003, was the first plan (site classification or corrective action) to propose off-site investigation activities, the Senior Project Manager and Scientist III costs were likely incurred during preparation of the High Priority Corrective Action Plan, dated 08/20/2003. In a letter, dated 01/09/2004, the Illinois EPA approved sufficient Personnel Costs (\$9,900.00) for preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, oversight of the twenty-three proposed soil borings, collection of forty-six soil samples, collection of four groundwater samples, and preparation of a billing package.
- (c) The Consulting Personnel Costs Form contains Senior Project Manager costs for project management, preparation of a Corrective Action Plan Budget, project oversight, scheduling, corrective action design and planning, and client meetings and correspondence for the time period between 01/01/2001 and 12/31/2002.

Received	Item Description	Item Date
NA	Early Action Extension Approval Letter	01/17/2001
01/18/2001	45-Day Report	01/17/2001

Received	Item Description	Item Date
NA	Illinois EPA Letter	02/13/2001
03/23/2001	45-Day Report	03/19/2001
NA	Illinois EPA Letter	04/20/2001
05/30/2001	Site Classification Work Plan	04/02/2001
	Site Classification Work Plan Budget	03/30/2001
NA	Illinois EPA Letter	09/27/2001
10/25/2001	Site Classification Work Plan Budget	10/12/2001
NA	Illinois EPA Letter	02/22/2002
08/19/2002	Site Classification Completion Report	08/08/2002
08/20/2002	Site Classification Work Plan Budget	08/08/2002
NA	Illinois EPA Letter	12/17/2002
NA	Illinois EPA Letter	12/18/2002
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003

The Senior Project Manager costs were likely incurred during early action and site classification. However, some of the Senior Project Manager Costs may have been incurred during preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, dated 08/20/2003. In a letter, dated 01/09/2004, the Illinois EPA approved sufficient Personnel Costs (\$9,900.00) for preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, oversight of the twenty-three proposed soil borings, collection of forty-six soil samples, collection of four groundwater samples, and preparation of a billing package.

- (d) The Consulting Personnel Costs Form contains Project Engineer, Scientist IV, and Scientist III costs for report certification, report preparation, analytical data review, and site mapping for the time period between 01/01/2001 and 12/31/2002.

Received	Item Description	Item Date
NA	Early Action Extension Approval Letter	01/17/2001
01/18/2001	45-Day Report	01/17/2001
NA	Illinois EPA Letter	02/13/2001
03/23/2001	45-Day Report	03/19/2001
NA	Illinois EPA Letter	04/20/2001
05/30/2001	Site Classification Work Plan	04/02/2001
	Site Classification Work Plan Budget	03/30/2001
NA	Illinois EPA Letter	09/27/2001
10/25/2001	Site Classification Work Plan Budget	10/12/2001



Received	Item Description	Item Date
NA	Illinois EPA Letter	02/22/2002
08/19/2002	Site Classification Completion Report	08/08/2002
08/20/2002	Site Classification Work Plan Budget	08/08/2002
NA	Illinois EPA Letter	12/17/2002
NA	Illinois EPA Letter	12/18/2002
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003

The Project Engineer, Scientist IV, and Scientist III costs were likely incurred during early action and site classification.

- (e) The Consulting Personnel Costs Form contains Scientist III costs for reimbursement preparation for the time period between 01/01/2001 and 12/31/2002.

Received	Item Description	Item Date
NA	Early Action Extension Approval Letter	01/17/2001
01/18/2001	45-Day Report	01/17/2001
NA	Illinois EPA Letter	02/13/2001
03/23/2001	45-Day Report	03/19/2001
NA	Illinois EPA Letter	04/20/2001
05/30/2001	Site Classification Work Plan Site Classification Work Plan Budget	04/02/2001 03/30/2001
08/27/2001	Billing Package	NA
NA	Illinois EPA Letter	09/27/2001
10/25/2001	Site Classification Work Plan Budget	10/12/2001
NA	Illinois EPA Letter	02/22/2002
08/19/2002	Site Classification Completion Report	08/08/2002
08/20/2002	Site Classification Work Plan Budget	08/08/2002
12/02/2002	Billing Package	NA
NA	Illinois EPA Letter	12/17/2002
NA	Illinois EPA Letter	12/18/2002
01/22/2003	Billing Package	NA
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
06/23/2003	Billing Package	NA
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003

The Scientist III costs were likely incurred during early action and site classification.

- (f) The Consulting Personnel Costs Form contains Professional Engineer costs for billing certifications and Project Engineer costs for reimbursement package review for the time period between 01/01/2003 and 12/31/2003.

Received	Item Description	Item Date
01/22/2003	Billing Package	NA
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
06/23/2003	Billing Package	NA
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003
09/15/2003	High Priority Corrective Action Plan High Priority Corrective Action Plan Budget	08/20/2003
NA	Illinois EPA Letter	01/09/2004

The Professional Engineer and Project Engineer costs are likely associated with site classification billing packages.

- (g) The Consulting Personnel Costs Form contains Senior Project Manager costs for water sampling for the time period between 01/01/2003 and 12/31/2003. The Illinois EPA does not have documentation that groundwater samples were collected in 2003.
- (h) The Consulting Personnel Costs Form contains Senior Project Manager, Project Manager, Project Engineer, Scientist IV, Scientist II, and Draftsperson/CAD III costs for site work planning, report preparation, overall supervision, corrective action planning, project management, correspondence, data review, Corrective Action Plan design, reporting, preparation of a Corrective Action Plan, boring logs, Illinois EPA correspondence, subcontractor liaison, off-site access letters, field schedule estimation, preparation of a Corrective Action Plan Budget, lab results review, compilation of corrective action field data, waste profiling, mapping, and preparation of drawings for the time period between 01/01/2003 and 12/31/2003.

Received	Item Description	Item Date
01/22/2003	Billing Package	NA
04/11/2003	Miscellaneous Correspondence (SC-Pay)	04/03/2003
04/18/2003	Miscellaneous Correspondence (SC-Pay)	04/17/2003
05/02/2003	Miscellaneous Correspondence (SC-Pay)	05/01/2003
06/23/2003	Billing Package	NA
NA	Illinois EPA Letter	07/30/2003
08/08/2003	Miscellaneous Correspondence (SC-Pay)	08/07/2003

Received	Item Description	Item Date
09/15/2003	High Priority Corrective Action Plan High Priority Corrective Action Plan Budget	08/20/2003
NA	Illinois EPA Letter	01/09/2004

Some of the costs are likely associated with site classification billing packages and some of the costs were likely incurred during preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, dated 08/20/2003. In a letter, dated 01/09/2004, the Illinois EPA approved sufficient Personnel Costs (\$9,900.00) for preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, oversight of the twenty-three proposed soil borings, collection of forty-six soil samples, collection of four groundwater samples, and preparation of a billing package.

- (i) The Consulting Personnel Costs for the time period between 01/01/2004 and 12/31/2005 are likely associated with the following:

Received	Item Description	Item Date
09/15/2003	High Priority Corrective Action Plan High Priority Corrective Action Plan Budget	08/20/2003
NA	Illinois EPA Letter	01/09/2004
01/16/2004	High Priority Corrective Action Plan Budget	01/14/2004
01/15/2004	Facsimile	01/15/2004
NA	Illinois EPA Letter	04/16/2004
04/21/2004	Miscellaneous Correspondence	04/20/2004
NA	Illinois EPA Letter	06/18/2004
09/30/2004	High Priority Corrective Action Plan	09/2004
NA	Illinois EPA Letter	01/13/2005
02/16/2005	High Priority Corrective Action Plan Budget	02/2005
01/26/2005	Billing Package	NA
NA	Illinois EPA Letter	05/02/2005
05/03/2006	Status Report	04/2006
05/12/2006	Billing Package	NA

In a letter dated, 01/09/2004, the Illinois EPA approved sufficient Personnel Costs (\$9,900.00) for preparation of the High Priority Corrective Action Plan and High Priority Corrective Action Plan Budget, dated 08/20/2003; oversight of the twenty-three proposed soil borings; collection of forty-six soil samples; collection of four groundwater samples; and preparation of a billing package.

In a letter, dated 05/02/2005, the Illinois EPA approved sufficient Personnel Costs (\$15,570.00) for preparation of the High Priority Corrective Action Plan, dated 09/2004; preparation of the High Priority Corrective Action Plan Budget, dated

02/2005; execution of the field work; preparation of the Status Report, dated 04/2006; and preparation and review of a billing package.

- (j) Some of the Consulting Personnel Costs for the time period between 01/01/2006 and 12/31/2006 are associated with the following:

Received	Item Description	Item Date
09/30/2004	High Priority Corrective Action Plan	09/2004
NA	Illinois EPA Letter	01/13/2005
02/16/2005	High Priority Corrective Action Plan Budget	02/2005
01/26/2005	Billing Package	NA
NA	Illinois EPA Letter	05/02/2005
05/03/2006	Status Report	04/2006
05/12/2006	Billing Package	NA

In a letter, dated 05/02/2005, the Illinois EPA approved sufficient Personnel Costs (\$15,570.00) for preparation of the High Priority Corrective Action Plan, dated 09/2004; preparation of the High Priority Corrective Action Plan Budget, dated 02/2005; execution of the field work; preparation of the Status Report, dated 04/2006; and preparation and review of a billing package.

- (k) Some of the Consulting Personnel Costs for the time period between 07/01/2009 and 06/2014 are associated with the following:

Received	Item Description	Item Date
11/24/2010	Corrective Action Plan Corrective Action Plan Budget	11/22/2010
NA	Illinois EPA Letter	01/03/2011
05/31/2011	Corrective Action Plan Corrective Action Plan Budget	05/24/2011
NA	Illinois EPA Letter	09/14/2011
12/16/2011	Corrective Action Plan Corrective Action Plan Budget	12/13/2011
04/12/2012	Fax	04/12/2012
NA	Illinois EPA Letter	04/30/2012
01/07/2014	Billing Package	NA

In a letter, dated 01/03/2011, the Illinois EPA approved sufficient Consulting Personnel Costs (\$5,782.00) for preparation, review, and certification of the Corrective Action Plan and Corrective Action Plan Budget, dated 11/22/2010, and preparation, review, and certification of the Corrective Action Plan and Corrective Action Plan Budget, dated 05/24/2011.

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In a letter, dated 04/30/2012, the Illinois EPA approved sufficient Consulting Personnel Costs (\$26,837.00) for preparation, review, and certification of the Corrective Action Plan and Corrective Action Plan Budget, dated 05/24/2011, and preparation, review, and certification of the Corrective Action Plan and Corrective Action Plan Budget, dated 12/13/2011.

At a minimum, the billing package is associated with the Corrective Action Plan and Corrective Action Plan Budget, dated 12/13/2011.

- (1) Some of the Consulting Personnel Costs for the time period between 05/01/2011 and 06/30/2011 are associated with disposal of drums that contained solid waste generated while drilling soil borings B33 through B44. In a letter, dated 05/02/2005, the Illinois EPA approved sufficient Personnel Costs for execution of the field work.

## 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

**CERTIFICATE OF SERVICE**

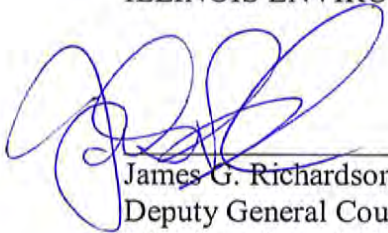
**RECEIVED**  
CLERK'S OFFICE  
MAR 13 2015

I, the undersigned attorney at law, hereby certify that on March 11, 2015, I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

John Therriault  
Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

Toni Laros  
MSA Professional Services  
201 West Springfield Avenue, Suite 400  
Champaign, Illinois 61820

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



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