ILLINOIS POLLUTION CONTROL BOARD

Blake Leasing Company, LLC – Real Estate Series, as owner of Kirkland Quick Stop,	)	
Petitioner,	)	PCB No. 16-100 (Water Well Setback Exception)
v.	)	
Illinois Environmental Protection Agency and Village of Kirkland,	)	
Respondents.	)	

NOTICE OF FILING

To: See Attached Certificate of Service

PLEASE TAKE NOTICE that on May 18, 2017, the Petitioner, Blake Leasing Company, LLC – Real Estate Series as owner of Kirkland Quick Stop, provided the following attached Notice to the Soo Line Railroad Company (d/b/a Canadian Pacific Railway and Canadian Pacific), a copy of which is attached and served upon you.

Dated: May 18, 2017

Respectfully submitted,

On behalf of Blake Leasing Company, LLC – Real Estate Series

/s/Charles F. Helsten
Charles F. Helsten
One of Its Attorneys

Charles F. Helsten
HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900
chelsten@hinshawlaw.com

CERTIFICATE OF SERVICE

I, Charles F. Helsten, an attorney, certify that I have served the above Notice of Filing and attached Notice to the Soo Line Railroad Company (d/b/a Canadian Pacific Railway and Canadian Pacific), via email and by certified mail, return receipt in the U.S. Mail at Rockford, Illinois, with proper postage or delivery charge prepaid.

Division of Legal Counsel
Illinois Environmental Protection Agency
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Joanne M. Olson
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Village of Kirkland
Attn: Ryan Block, Village President
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Kirkland, Illinois 60146
Ryanblock.kirkland@gmail.com

Don Brown, Clerk
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May 18, 2017

VIA OVERNIGHT MAIL
CT Corporation System
208 South LaSalle Street, Suite 814
Chicago, IL 60604

Re: Blake Leasing Company, LLC - Real Estate Series as Owner of Kirkland Quick Stop, Petitioner v. Illinois Environmental Protection Agency and Village of Kirkland, Respondents (PCB No. 16-100 Petition for Water Well Setback Exception)

To Whom It May Concern:

Please be advised that we represent Blake Leasing Company, LLC, in the above-mentioned matter.

In your capacity as Registered Agent for the Soo Line Railroad Company (d/b/a Canadian Pacific Railway and Canadian Pacific), please find attached hereto a Petition for Water Well Setback Exception pursuant to 415 ILCS 5/14.2(c) of the Illinois Environmental Protection Act which relates in part to Village of Kirkland Community Well #1 (a/k/a IEPA Well #11424).

From what we understand, this Well is leased by the Village of Kirkland from Canadian Pacific Railway and has been designated as a backup/emergency community water supply well by the Village.

In the attached Petition, Blake Leasing is requesting that the Illinois Pollution Control Board grant a setback zone exception so it may pursue further interim remedial activities within the statutory setback zone that applies to this Well. ***Please note that no claim for relief is made against the Railroad Company; this is simply an administrative request for certain regulatory relief.*** The Illinois Pollution Control Board will conduct a hearing on Blake's Petition this coming Tuesday, May 23, 2017, commencing at the hour of 10:00 a.m. at the State of Illinois Center, 100 West Randolph Street, Chicago, Illinois. A copy of the Order of the Pollution Control Board setting such matter for hearing is also attached. I am also providing Mr. Keith Creel a copy of this communication in his capacity as President of the Railroad Company.

Should you have any questions concerning this matter, do not hesitate to contact me.

Sincerely,

HINSHAW & CULBERTSON LLP

Charles F. Helsten
cc: Mr. Keith Creel (via overnight mail)

ILLINOIS POLLUTION CONTROL BOARD

Blake Leasing Company, LLC – Real Estate Series, as owner of Kirkland Quick Stop,	)	
Petitioner,	)	PCB No. 16-100
	)	(Water Well Setback Exception)
v.	)	
Illinois Environmental Protection Agency and Village of Kirkland,	)	
Respondents.	)	

AMENDED PETITION FOR WATER WELL SETBACK EXCEPTION PURSUANT TO 415 ILCS 5/14.2(C)

Petitioner, Blake Leasing Company, LLC – Real Estate Series as owner of Kirkland Quick Stop, by and through its attorneys, Hinshaw & Culbertson, LLP, states as follows for its Amended Petition For Water Well Setback Exception Pursuant to 415 ILCS 5/14.2(c):

1. Petitioner, Blake Leasing Company, LLC – Real Estate Series ("Petitioner"), is the owner of the Kirkland Quick Stop ("KQS") gas station property located at 411 W. Main Street, Kirkland, DeKalb County, Illinois 60146 ("Subject Property" and/or "Site").

2. Petitioner presents this Petition to further address the prior release of petroleum product (unleaded gasoline and diesel) from underground storage tanks formerly located at the Subject Property.

3. The remediation of the Subject Property is in response to Leaking Underground Storage Tank/Illinois Emergency Management Agency Incident Number 891717 requesting closure of a petroleum release from regulated underground storage tanks located at the Subject Property.

4. Through initial groundwater testing results of on-site and off-site monitoring wells at and near the Subject Property, it was initially determined that the groundwater contaminants were located within the regulated setback zone for the two (2) municipal water

supply wells located in the Village of Kirkland. Specifically, active remediation was initially requested because it was believed that the Subject Property was located within the setback zone of the Village of Kirkland emergency backup water supply well, referred to as Well #11424, (and/or Well #1), and the main Village supply well, referred to as Well #11425 (and/or Well #2). Well 1 is located 75 feet East of the Northern boundary of the Subject Property and Well 2 is located 422 feet North of the Northern boundary of the Subject Property.

5. The Petitioner initially retained the environmental consulting firm, GeoThink, LLC ("GeoThink") to prepare a Corrective Action Plan and budget through which several different remedial alternatives were explored. At the time, the options considered were air sparging, ground water extraction (pump and treat) via extraction wells, ground water extraction via interceptor trench, and in-situ enhanced bioremediation. Geothink ultimately chose in-situ enhanced bioremediation as the recommended option, as it has been successful at other representative Leaking Underground Storage Tank ("LUST") sites in remediating BTEX and PNAs, and the level of groundwater cleanup required would be localized to three distinct areas on-site, and one distinct area off-site along the Subject Property's northern property line and adjoining Railroad Street.

6. On November 24, 2015, the Illinois Environmental Protection Agency ("IEPA") conditionally approved GeoThink's Corrective Action Plan upon receipt of a waiver from the Illinois Pollution Control Board to allow injection of bioremediation agents into the subsurface within the protective setback zone of the community water supply wells in question. However, in a letter dated January 21, 2016, the IEPA denied the Petitioner's requested relief from the setback requirements per Section 14.2(b) of the Act because the relief sought was outside the scope of provisional variance relief that the Agency felt it could grant.

7. On April 29, 2016, the Petitioner filed its initial Petition for Water Well Setback Exception Pursuant to 415 ILCS 5/14.2(c) requesting the use of injection wells as outlined within

GeoThinks' Corrective Action Plan. Based upon further investigation, testing and review, the Petitioner seeks to amend its initial Petition as set forth herein.

8. Subsequent to the filing of the initial Petition, the Petitioner retained the environmental consulting firm of St. John-Mittelhauser & Associates. St. John-Mittelhauser sampled groundwater monitoring wells at the Site on August 2 & 3, 2016 as well as November 14 & 15, 2016. Due to turbidity issues encountered in monitoring wells MW-30S and MW-30D during the November 2016 sampling event, those two wells were resampled on December 23, 2016. The Technical Report prepared by St. John-Mittelhauser & Associates, with accompanying Tables and Figures and an overview of the Best Available Technology, is attached hereto as Exhibit A and incorporated herein by this reference.

9. Testing results performed in August 2016 demonstrated and confirmed that both the area of residual contamination and the UST system owned and operated by the Petitioner are outside of the minimum setback zone for Well #2, the primary Village Community well. In addition, those test results demonstrated that the bedrock layer in the area in and around the Village is covered by approximately 30 feet or more of low permeability, silty glacial till. In addition, and related to the same, static water level measurements taken in close proximity to the main Village supply (Well #2) reflect that water levels in the upper most water-bearing unit (the upper alluvial sand aquifer where small amounts of residual contamination are still found) are not impacted by municipal well pumping activities in the lower bedrock aquifer, which in turn demonstrates there is no direct hydraulic connection between the two aquifers in question. As such, the August 2016 testing and sampling indicates that the 30 plus feet of glacial till material that separates the bedrock aquifers from the upper most alluvial aquifer at the site is an effective aquitard which significantly impedes the downward vertical migration of groundwater, and protects the bedrock aquifers in the vicinity of the site from downward vertical contaminant migration of any contaminants present in the upper most alluvial aquifer.

10. The August 2016 sampling and testing also showed no detectable concentrations of either dissolved or total lead in groundwater, indicating that lead detections previously reported at the site were the result of elevated turbidity levels in groundwater samples due to sampling methods previously employed. Rather, the test results from the August 2016 sampling exercise showed benzene concentrations slightly in excess of Tier 1, Class 1 Groundwater Remediation Objectives (GROs) in three (3) monitoring wells (MW-1, MW-3A, and MW-8), and PNA concentrations slightly in excess of GROs in only two (2) monitoring wells (MW-6 and MW-15). Field parameters collected during the sampling event indicate the dissolved oxygen concentration ranged from 0.02 mg/l to 0.39 mg/l in the five (5) monitoring wells mentioned herein. This indicates that the constituents of concern are undergoing aerobic biodegradation. The lack of further benzene and PNA migration in groundwater at the site is attributable to the general availability of dissolved oxygen in the shallow glacial groundwater. No other contaminants were detected in excess of allowable limits at any of the monitoring wells sampled at the site.

11. Moreover, the August 2016 sampling exercise indicated that elevated concentrations of dissolved iron in groundwater showed a direct inverse relationship to dissolved oxygen concentrations in groundwater (that is, where dissolved oxygen concentrations were low, dissolved iron concentrations were high). As such, the occurrence of organic constituents (such as benzene and PNAs) above their respective GROs in groundwater is then directly related to areas of groundwater beneath the site where dissolved oxygen has simply been depleted. This in turn indicates that significant and effective natural attenuation of these compounds is in fact taking place at the site under proper aerobic biodegradation conditions where adequate quantities of dissolved oxygen are present.

12. In summary, the August 2016 sampling exercise indicated the current presence of low concentrations of benzene and PNAs at the site not significantly above GROs. This fact, in

conjunction with the apparent ability of the onsite groundwater system to employ dissolved oxygen to attenuate these constituents prior to them migrating offsite suggests a weak residual contamination source, which could be readily addressed by the introduction of additional dissolved oxygen where necessary.

13. Upon obtaining the November sampling results for Wells MW-30S and MW-30D, it was observed that the data was inconsistent with observations related to the conceptual site model where COCs only occur in groundwater at locations where the DO in groundwater is depleted. However, field staff had reported difficulty in getting stabilized turbidity readings at these wells, and it was concluded that the very low concentrations of PNAs observed to occur in the wells during this sampling event could be the result of turbidity in the samples, thus the resampling of these wells was ordered in December 2016.

14. Upon resampling wells MW-30S and MW-30D on December 23, 2016 the wells were determined to yield more stable turbidity readings, and the consequent DO concentrations were 3.44 mg/L and 1.54 mg/L, respectively. Of significant note, laboratory results for this resampling indicated that all PNA and BETX compounds were non-detect in both wells. Dissolved iron concentrations were also determined to be below the detection limit.

15. A review of the data obtained during the August and November/December sampling events then results in the following observations:

a. None of the wells sampled in August or November had detectable concentrations of dissolved or total lead, indicating that lead detections previously reported at the Site were the result of elevated turbidity levels in groundwater samples due to the sampling methods previously employed (purging volumes and sampling with bailers).

b. Five wells on site exhibited organic constituents in excess of the GROs. Three wells, MW-1 (August and November), MW-3A (August and November), and MW-15 (August only) exhibited benzene concentrations in excess of the GRO. Two wells, MW-6 and MW-14, exhibited PNA concentrations in excess of the GROs.

c. Elevated concentrations of dissolved iron in groundwater show a direct inverse relationship to dissolved oxygen concentrations in groundwater. That is, where dissolved oxygen concentrations are low (<0.5 mg/L) dissolved iron concentrations are elevated (>1.0 mg/L).

d. The occurrence of the organic constituents (benzene and PNAs) exceeding the GRO in groundwater at the Site are directly related to areas in groundwater at the Site where dissolved oxygen has been depleted. This indicates that significant, natural attenuation of these compounds is taking place at the Site under aerobic biodegradation conditions.

e. The groundwater sampling data from the line of monitoring wells along the northern border of the Site, i.e., wells MW-18, MW-19, MW30S, and MW-30D, indicate that no petroleum constituents are migrating across the KQS property line to the north of the Site in excess of the GROs.

f. The occurrence of low concentrations of benzene and PNAs at the Site are not significantly above the GROs. This fact, in conjunction with the apparent ability of the onsite groundwater system to supply sufficient dissolved oxygen to attenuate these constituents prior to them migrating off-site, suggests a weak residual contamination source associated with a capillary fringe smear zone.

16. St. John-Mittelhauser's investigation also confirmed that the lithology of the Subject Property consists of fill and silty clay to a depth of approximately 5-7 feet below ground surface. Underlying these materials is a relatively homogenous layer of coarse grained sand and gravel to a depth of approximately 30 feet below ground surface. Underlying the sand and gravel is a relatively impermeable glacial till extending to a depth of approximately 70 feet below ground surface. Groundwater is encountered with the sand and gravel unit at a depth of approximately 9 feet below ground surface.

17. Based on the analytical results and the lithology below the Subject Property, it is apparent that aerobic biodegradation of the contaminants of concern is being hindered by the depletion of dissolved oxygen within the area of impact. Therefore, the Petitioner, at the recommendation of St. John-Mittelhauser, now believes, and requests a setback exception for, the use of air sparging as the Best Available Technology to effectuate the remediation of the Subject Property. In short, the low concentrations of benzene and PNAs in the groundwater at

the Subject Property can be effectively remediated by air sparging small areas of the site groundwater where they occur.

18. Air sparging is a proven technology to remediate sites where groundwater is contaminated with aerobically biodegradable hydrocarbons. The technology is most effective in sites with relatively homogenous coarse grained materials with an aquifer thickness greater than 5 feet and where the water table is at least 5 feet or greater below the ground surface. These characteristics are present at the Subject Property.

19. Air sparging works by injecting compressed air into the groundwater system below the site. The compressed air enters the groundwater system through a diffuser that creates smaller air bubbles to maximize the surface area and contact with the groundwater, and allows greater migration of the air away from the sparge points without dissolving first into the groundwater. As the compressed air more completely mixes with the groundwater system, oxygen dissolves into the groundwater (to its aqueous solubility of approximately 11 mg/L) thereby increasing the dissolved oxygen content of the groundwater. The dissolved oxygen is then transported via groundwater flow downgradient from the injection point. The dissolved oxygen in the groundwater is then available to facilitate natural aerobic biodegradation of the site contaminants in groundwater.

20. Per an August 31, 2001 Final Air Sparging Guidance Document prepared by Battelle for the Naval Facilities Engineering Command, cited and relied upon by St. John-Mittelhauser in its attached report, air sparging at an injection rate of one (1) standard cubic feet per minute, could result in as much as 10 kg/day of oxygen being introduced into the system. Given the low flow rate, long contact time, and the low concentrations of VOCs present at the site (the highest benzene result in groundwater at the site is 0.076 mg/L – MW-3A), only a very small amount of vapor will be produced in the subsurface. Due to this fact, low-flow air-

sparging systems are commonly installed without solvent vapor capture systems because they are not necessary.

21. The advantages of air sparging include:

a. Rapidly increases the dissolved oxygen content within the groundwater below the Site thereby promoting the biodegradation of the hydrocarbons with indigenous bacteria;

b. Specifically well-suited to the petroleum-based contaminants and the coarse-grained layer that exists beneath the surficial silt/clay layer at the Site;

c. Proven technology to remediate the residual concentrations of benzene and PNAs in the groundwater to meet their respective Class I GROs;

d. Does not require the injection of surfactants, bacteria, oxygen releasing compounds, or other non-naturally occurring constituents within the setback of the municipal wells;

e. The low COC concentrations at the Site will only require low-flow rate air sparging at the Site and will not require the use of a soil vapor extraction system;

f. Simplicity in system design and operation;

g. Is not impacted by freezing temperatures; and

h. Minimal cost as compared to other technologies.

22. Petitioner has considered other available technologies, however, and in addition to the other statements set forth herein, the use of air sparging at the Subject Property is the best available technology for the following reasons:

a. Pump and Treat

Although this technology could provide a means of reducing the benezene levels at the Site, it would not effect a significant reduction in the PNA levels at the Site because these chemicals exist mostly as bound to small organic matter and soils beneath the site and are not readily water soluble. A reduction in PNAs would likely only occur within a small radius of influence around each extraction well, and the remediation would not be uniform across the site.

b. In Situ Chemical Oxidation (ISCO)

While ISCO would likely serve to destroy much of the COCs present at the Site, it generally is not uniformly effective, and generally requires excavation and mixing of the soils at the Site with the chemical oxidants. Furthermore, the introduction of additional chemicals near the set-back zone of the municipal well is of concern. Accordingly, the injection of ISCO is not a feasible solution at the Site.

c. Enhanced In Situ Aerobic Bioremediation (EISAB)

Air sparging is a form of enhanced EISAB, which requires no further introduction of chemicals (other than air) near the municipal well set-back zone.

d. Nutrient Addition for Enhanced In Situ Aerobic Bioremediation

This method typically involves the injection of microbes, carbon sources (oils/fats/surfactants), and vitamins into the subsurface. This method was previously proposed and rejected by the Illinois Pollution Control Board. This method would also involve the injection of chemicals near and within the CWS set-back zones.

e. In-Well Air Stripping/Groundwater Circulating Wells

While this method would effectively eliminate the benzene contamination migrating off the Site, the source area of petroleum hydrocarbon at the Site would remain unremediated and result in the operation of this system for a prolonged period of time. Further, the PNAs present at the Site do not have appreciable vapor pressures, and therefore they will not volatilize with air-stripping, and would not be effectively remediated by this technology.

f. Monitored Natural Attenuation

This is effectively going on currently at the Site. St. John-Mittelhauser has presented figures showing the DO concentrations and COC concentrations at the Site. These figures show that the indigenous microbes have depleted the DO at the source area while aerobically degrading the petroleum COCs. Consequently, the existing DO levels are currently too low to effectively degrade the remaining contaminants to below the Class I GROs within the impacted area of the Site. St. John-Mittelhauser opines that increasing the DO concentrations with air sparging will allow further biodegradation of the hydrocarbon mass within the source area to a point where the Class I GROs can be met within groundwater on site in the existing groundwater monitoring network.

g. Phytoremediation

This treatment technology uses vegetation to breakdown COCs, but is not a feasible solution at the Site because it cannot be implemented at the portion of the Site where the great majority of the remaining petroleum hydrocarbon resides.

h. Reactive Barriers

This treatment would require that a large-scale excavation take place at the Site, and downgradient of the source zone (i.e., in the alley near the Canadian Pacific Railroad building) and would not reduce concentrations within the source area that currently exceed the Class I GROs. Additionally, the introduction of chemical oxidants would be necessary at the location of the barrier.

i. Surfactant Enhanced Aquifer Remediation (SEAR)

This method is similar to pump and treat, but requires the injection of a chemical surfactant to enhance COC recovery. This is not feasible near the municipal well set-back zone and it is highly probable that a significant amount of the remaining hydrocarbon mass in the source area is smeared across the capillary fringe due to seasonal fluctuation of the water table. The AS technology will remediate the capillary fringe. It is questionable if surfactant circulation and removal will be effective in the capillary fringe.

j. In Situ Thermal Treatment

This method essentially heats the groundwater to the point that VOCs change phase to gaseous vapor and then are removed via vapor extraction within the source area. While this method would be effective for benzene removal, the low volatilities and high boiling points of the PNAs would result in the technology being ineffective for these compounds.

k. Two-Phase (Dual Phase) Extraction

This method removes both the vapors from the soil and the liquid COCs from the groundwater via an extraction well. This technology is typically used at sites with recoverable, separate-phase petroleum hydrocarbon and likely will not be effective in meeting the Class I GROs at the Site. Additionally, it will not effect the reduction of PNAs for the reasons discussed above.

23. St. John-Mittelhauser's air sparging recommendation includes the installation of 12-15 air injection stringers via 1-inch diameter monitoring wells located within the area(s) of concern on Site. The cost estimate for the installation and operation of the air sparging system for a 2 year period ranges from a low of $80,000.00 to a high of $145,000.00.

24. The allowed setback requirements of Section 14.2 of the Act pose an arbitrary and unreasonable hardship upon the Petitioner, as generally, the use of air sparging injection wells located within a protected minimum setback zone established for potable water supply wells per Section 14.2 of the Act is prohibited. Additionally, because of the inability to use other remediation methods for the reasons set forth herein, the lack of the requested setback for the use of air sparging would prevent the Petitioner from having the ability to remediate the Subject Property of the low levels of contamination present. Further, only by remediating the Subject Property can the Petitioner receive an acceptable form of complete closure. Moreover, the

inability to effectuate the remediation outweighs any potential injury to the public or the environment should the setback be granted – (although the Petitioner has demonstrated herein that there will be no injury to the public or the environment as its proposed remediation involves only the use of oxygen). Additionally, the denial of the setback would deplete the value of the investment the Petitioner has made in the Subject Property, and decrease the value of the property to the Village as a whole. In short, remediating the Subject Property is not only in the best interest of the Petitioner, and the environment as a whole, but also in the best interest of the Village which enjoys the use of the Subject Property. The current setback imposes an unreasonable hardship upon the Petitioner to accomplish that which is in the best interest of all, i.e., remediation. However, a waiver pursuant to Section 14.2(b) of the Act, or an exception pursuant to 14.2(c) of the Act, may be obtained, thereby allowing the use of injection wells in a setback zone. The Petitioner seeks that Section 14.2(c) exception by way of this Petition.

25. In performing the remediation as outlined herein, the Petitioner will utilize the maximum feasible alternative setback as required by this Board to encompass and address the entire KQS site. Through the use of the Petitioner's BAT, the injection wells will not cause greater potential harm, nor will they constitute or pose a hazard or adversely impact Well 1 and Well 2. This is further clear in that the current USTs only reside within the minimum setback of Well 1, not Well 2.

26. The location and use of the injection wells as outlined herein will not constitute a significant hazard to the potable water supply wells. First, St. John-Mittelhauser's hydrogeologic testing at the site demonstrates that the shallow glacial drift aquifer is hydraulically isolated from the bedrock aquifer by the glacial till material that serves as an effective aquitard which significantly impedes the downward vertical migration of groundwater, and protects the bedrock aquifers in the vicinity of the site from downward vertical contaminant migration of any contaminants present in the upper most alluvial aquifer. Second, where the Petitioner's

previously proposed bio-remediation involved the injection of foreign elements into the groundwater system in close proximity to the community water supply wells, the Petitioner's new BAT proposes only injecting oxygen into the aquifer through the use of naturally occurring air, nothing else. St. John-Mittelhauser's investigation and testing demonstrate that there is a direct, inverse relationship, between the dissolved oxygen content in groundwater and the occurrence of petroleum hydrocarbon constitutes of concern - meaning, that where dissolved oxygen naturally occurs in groundwater there are no petroleum constituents of concern. The reason for this inverse relationship is that indigenous microorganisms use the naturally occurring dissolved oxygen to metabolize the petroleum constituents of concern and in that way naturally biodegrade them. However, when there are more petroleum constituents of concern than naturally occurring dissolved oxygen in the groundwater, the dissolved oxygen in groundwater becomes depleted, and the petroleum constituents of concern persist. The use of injecting additional oxygen into the aquifer is sufficient to naturally degrade the very low concentrations of petroleum constituents of concern occurring in the groundwater at the Subject Property.

27. On September 17, 2015, the Petitioner submitted its waiver request per Section 14.2(b) of the Act to the owner of the municipal water supply, the Village of Kirkland, to obtain the Village's permission to use injection wells to remediate the residual petroleum hydrocarbons to below Class I GROs. The Village executed that waiver release form on or about February 2, 2016.

28. For all of the reasons set forth herein, the Petitioner respectfully requests a setback zone exception pursuant to Section 14.2(c) of the Act to perform the remedial work, as outlined herein, still needed on the Subject Property.

WHEREFORE, Petitioner, Blake Leasing Company, LLC – Real Estate Series as owner of Kirkland Quick Stop, respectfully requests that this Honorable Board accept this Petition and grant the setback zone exception requested pursuant to 415 ILCS 14.2(c) as set forth herein, as well as such other and further relief as this Board deems just and proper.

Dated: January 6, 2017

Respectfully submitted,

On behalf of Blake Leasing Company, LLC – Real Estate Series

/s/ Charles F. Helsten
Charles F. Helsten
One of Its Attorneys

Charles F. Helsten
HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900
chelsten@hinshawlaw.com

CERTIFICATE OF SERVICE

I, Charles F. Helsten, an attorney, certify that I have served the attached **Amended Petition For Water Well Setback Exception Pursuant to 415 ILCS 5/14.2(c)** on the named parties below by certified mail, return receipt requested, by 5:00 p.m. on January 6, 2017, by depositing the attached in the U.S. Mail at Rockford, Illinois, with proper postage or delivery charge prepaid.

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Village of Kirkland
Attn: Mayor Les Bellah
511 W. Main Street
Kirkland, Illinois 60146

Brad Halloran
Hearing Officer
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Joanne M. Olson
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

/s/Charles F. Helsten

SM&A
ST. JOHN - MITTELHAUSER & ASSOCIATES

TECHNICAL REPORT

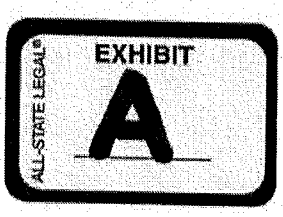
Support for the Petition Requesting an Exception to Operate Three Underground Storage Tanks and Perform Remedial Measures Within the Water Well Setback Zone for Two Community Wells Owned by the Village of Kirkland

Kirkland Quick Stop
411 Main Street
Kirkland, Illinois 60146

January 5, 2016

Prepared By:

St. John – Mittelhauser & Associates, Inc.
1401 Branding Avenue, Suite 315
Downers Grove, IL 60515



ILLINOIS POLLUTION CONTROL BOARD
April 12, 2017

BLAKE LEASING COMPANY, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 16-100
	)	(Water Well Setback Exception)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and VILLAGE OF KIRKLAND,	)	
	)	
Respondents.	)	

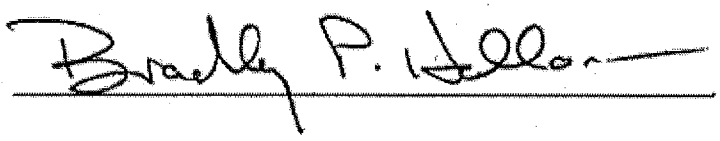
NOTICE OF HEARING

A video conference hearing in the above-captioned matter is scheduled for May 23, 2017, at 10:00 a.m. and will continue as necessary at the following places:

James R. Thompson Center
Room 11- 512
100 W. Randolph St.
Chicago, Illinois

1021 N. Grand Avenue East
Conference Room 1244 N, 1st floor
Springfield, Illinois

IT IS SO ORDERED.



Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
brad.halloran@illinois.gov

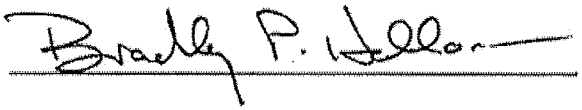
In compliance with the Americans with Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact John Therrault, Clerk of the Board, at 100 West Randolph St., Suite 11-500, Chicago, Illinois 60601, at telephone number 312/814-3629, fax number 312/814-3669, or TDD number 312/814-6032, five days prior to the hearing.

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on April 12, 2017, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on April 12, 2017:

Don Brown
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



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