

**RECEIVED**  
CLERK'S OFFICE

JUN 16 2006

STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

MIDWEST PETROLEUM COMPANY	)	
Petitioner,	)	
	)	PCB 06-153
v.	)	(UST Appeal)
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
Respondent.	)	

**NOTICE**


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

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
P.O. Box 19274  
Springfield, Illinois 62794-9274

Curtis W. Martin  
Shaw & Martin, P.C.  
P.O. Box 1789  
Mt. Vernon, Illinois 62864

PLEASE TAKE NOTICE that I have today caused to be filed an APPEARANCE and ADMINISTRATIVE RECORD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Special Assistant Attorney General

Dated: June 14, 2006

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  
CLERK'S OFFICE

JUN 16 2006

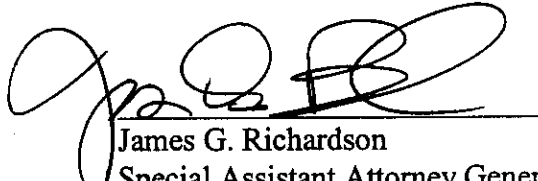
STATE OF ILLINOIS  
Pollution Control Board

MIDWEST PETROLEUM COMPANY )  
Petitioner, )  
 )  
v. )  
 )  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

PCB 06-153  
(UST Appeal)

APPEARANCE

I, James G. Richardson, hereby enter my appearance in this proceeding on behalf of the Illinois Environmental Protection Agency.

  
James G. Richardson  
Special Assistant Attorney General

Dated: June 14, 2006

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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

**CERTIFICATE OF SERVICE**

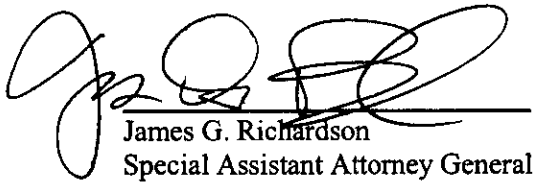
I, the undersigned attorney at law, hereby certify that on June 14, 2006 I served true and correct copies of an APPEARANCE and ADMINISTRATIVE RECORD by first class mail of the United States Postal Service upon the persons as follows:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274

Curtis W. Martin  
Shaw & Martin, P.C.  
P.O. Box 1789  
Mt. Vernon, IL 62864

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Special Assistant Attorney General  
Division of Legal Counsel  
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 15276, 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 8570 5030**

**FEB 28 2006**

Midwest Petroleum  
 Attention: Mike McNutt  
 6760 Southwest Avenue  
 St. Louis, Missouri 63143

Re: LPC #1631255004 - St. Clair County  
 Shiloh/Wes Enterprises  
 529 Maple Street  
 LUST Incident No. 982804  
 LUST Technical File

**RELEASABLE**

MAR 13 2006

**REVIEWER MM**

Dear Mr. McNutt:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Site Investigation Plan (plan) submitted for the above-referenced incident. This plan, dated February 13, 2006, was received by the Illinois EPA on February 21, 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 plan and the associated budget are rejected for the reason(s) listed below (Sections 57.7(a) and 57.7(c)(4) of the Act and 35 Ill. Adm. Code 732.503(b)).

The plan is rejected for the following reason(s):

1. The plan had not provided additional documentation/justification for the additional personnel hours requested for excavation, transportation, disposal and backfill as indicated in the previous Illinois EPA letter dated July 18, 2005. Since the corrective action activities have been completed copies of the invoices, statements, manifests, bills, etc. can be submitted as documentation to justify the additional personnel hours requested. According to the amended plan soils to be excavated, transported, disposed and backfilled have been reduced. It would appear as though the cost of such corrective actions should also have a reduction. It is not clear to the Illinois EPA why additional costs are being sought when overall corrective action activities were reduced.

The plan budget is rejected for the following reason(s):

1. Pursuant to Section 57.7 of the Act and 35 Ill. Adm. Code 732.503(b), the associated budget is rejected for the following reason:

A full financial review shall consist of a detailed review of the costs associated with each element necessary to accomplish the goals of the plan as required pursuant to the Act and regulations. Items to be reviewed shall include, but not be limited to, costs associated with any materials, activities, or services that are included in the budget plan. The overall goal of the financial review shall be to assure that costs associated with materials, activities, and services shall be reasonable, shall be consistent with the associated technical plan, shall be incurred in the performance of corrective action activities, and shall not be used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations (Section 57.7(e)(3) of the Act and 35 Ill. Adm. Code 732.503(e)).

Without an approvable plan, the proposed budget cannot be fully reviewed. Pursuant to Sections 57.7(a) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 732.100 and 732.105, a revised plan and/or budget must be submitted within 90 days of the date of this letter.

Illinois Environmental Protection Agency  
 Bureau of Land - 474  
 Leaking Underground Storage Tank Section  
 1021 North Grand Avenue East  
 Post Office Box 19276  
 Springfield, IL 62794-9276

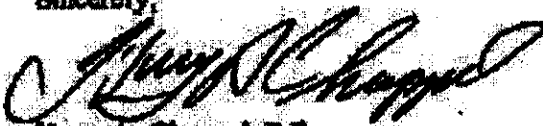
Please submit all correspondence in duplicate and include the Re: block shown at the beginning of this letter.

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

Page 3

If you have any questions or need further assistance, please contact Mindy Weller at 217/782-6762.

Sincerely,



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

HAC:MW:mw/982804-13.DOC

cc: Bob Pulfrey, USI, Inc.  
Division File



## 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) 814-5026

ROD R. BLAGOJEVICH, GOVERNOR <sup>Appeal Rights</sup> DOUGLAS P. SCOTT, DIRECTOR

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 37.7(c)(4)(D) 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 11-300  
 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



1031250004-8.0.  
United Science Industries  
PO. Box  
1285 East IL Highw  
Woodlawn, IL 6  
Toll free 800.372  
phone 618.735  
fax 618.735

*Wei Enterprises*  
*Rust Tech*

www.unitedscience.com

February 15, 2006

Illinois Environmental Protection Agency  
Bureau of Land  
Division of Remediation Management  
LUST Section  
1021 North Grand Avenue East  
Springfield, IL 62794-9276

Attn: Ms. Melinda Weller

Re: **Midwest Petroleum (former Wei Enterprises) Shiloh #982804  
Amended Corrective Action Plan & Budget**

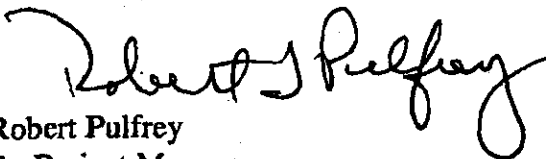
Dear Ms. Weller:

Enclosed you will find an Amended Corrective Action Plan and Budget for the above referenced site for your review. Both the owner and the Professional Engineer have certified the Budget; an EDD is enclosed as well.

If you have any questions or comments regarding this project please contact me at (618) 735-2411 extension 145.

Sincerely yours,

UNITED SCIENCE INDUSTRIES, INC.



Robert Pulfrey  
St. Project Manager

Enclosures

RP:mlp

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FEB 21 2006

IEPA/BOL

RELEASABLE

FEB 27 2006

REVIEWER MM



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.

**Underground Storage Tank Owner/Operator:**

Please indicate below the type of plan/report that is being submitted to the Agency at this time. This form must be attached to all plans and reports submitted to the Agency pursuant to 35 Ill. Adm. Code 732 and 415 ILCS 5/57-57.17. Please check all that apply.

20 Day Certification	_____		
45 Day Report	_____		
Free Product Removal Report	_____	Initial Submittal	Amended Submittal
Site Classification Work Plan	_____	_____	_____
Site Classification Work Plan Budget	_____	_____	_____
Site Classification Completion Report	_____	_____	_____
Groundwater Monitoring Plan (Low Priority)	_____	_____	_____
Groundwater Monitoring Plan Budget (Low Priority)	_____	_____	_____
Groundwater Monitoring Results (Low Priority)	_____	_____	_____
Professional Engineer Certification (Low Priority)	_____	_____	_____
Corrective Action Plan (High Priority)	_____	_____	_____ X
Corrective Action Plan Budget (High Priority)	_____	_____	_____ X
Corrective Action Completion Report (High Priority)	_____	_____	_____
Professional Engineer Certification (High Priority)	_____	_____	_____
Corrective Action Completion Report (35 IAC Section 732.300(b), 732.400(b) or (c))	_____	_____	_____
Professional Engineer Certification (35 IAC Section 732.300(b), 732.400(b) or (c))	_____	_____	_____

**RECEIVED**  
FEB 21 2006  
**EPA/BOL**

I certify under penalty of law that this document was prepared by me or under my direction or supervision. This information is to the best of my belief and knowledge, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine for knowing violations.

**Owner: Midwest Petroleum (Former Wei Ent.)**  
 Name: Mike McNutt  
 Title: Vice President  
 Signature: *Mike McNutt*  
 Date: 2-14-06

**Operator: Same**  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: FEB 27 2006

**RELEASABLE**  
**REVIEWER MM**

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

### A. Site Identification

IEMA Incident # (6 digit): 982804 IIEPA Generator # (10 digit): 1631255004

Site Name: Midwest Petroleum (Former Wei Enterprises)

Site Address (Not a P.O. Box): 529 Maple St.

City: Shiloh County: St. Clair FEB 27 2006

**RELEASABLE**

### B. Site Information

**REVIEWER MM**

1. Will the owner/operator seek reimbursement from the Underground Storage Tank Fund? Yes X No    

2. If yes, is the budget attached? Yes X No    

3. Is this an amended plan? Yes X No    

4. Identify the material released: Gasoline, Diesel

5. This Corrective Action Plan is being submitted pursuant to:

a. 35 Ill. Adm. Code Section 731.166:

i. A release of petroleum from a UST was reported to IEMA prior to September 13, 1993 and the owner/operator has ~~NOT~~ <sup>NOT</sup> elected to proceed under Title XVI of the Environmental Protection Act

**RECEIVED**

FEB 21 2006

ii. The material released was not petroleum.

b. 35 Ill. Adm. Code Section 732.404:

**IEPA/BOL**

i. A groundwater quality standard or objective for any applicable indicator contaminant has been exceeded at the property boundary line or 200 feet from the leaking UST.    X   

ii. The leaking UST system is within the setback zone or regulated recharge area of a potable water supply well.    

iii. There is evidence that migration of petroleum or petroleum vapors may threaten human health or human safety.    X   

iv. Class III Special Resource Groundwater exists within 200 feet of the site.

- v. A surface body of water has been adversely affected by the presence of a visible sheen or free product layer.

c. 35 Illinois Administrative Code Section 132.312

### **C. Proposed Methods of Remediation**

1. Soil Excavate and Disposal (Special Waste Landfill)
2. Groundwater Groundwater Deed Restriction

### **D. Soil and Groundwater Investigation Results**

Provide the following:

1. Description of investigation activities performed to define the extent of soil and/or groundwater contamination;
2. Analytical results and cleanup objectives in tabular format;
3. Laboratory reports;
4. Boring logs;
5. Monitoring well logs;
6. Site maps to scale and oriented north showing:
  - a. Soil sample locations;
  - b. Monitoring well locations;
  - c. The plume of soil and groundwater contamination based on analytical results.

### **E. Technical Information - Corrective Action Plan**

Provide the following:

1. A discussion of how the corrective action plan shall remediate each of the criteria which caused the site to be classified as High Priority;
2. Engineering design specifications, diagrams, calculations, manufacturer's specifications, systems analyses, site maps, etc.;
3. A list of sampling parameters and corresponding cleanup objectives;
4. The basis for determining sampling parameters and cleanup objectives;
5. Media sampling plan to verify completion of remediation;
6. A discussion of the proposed system(s) effectiveness in remediating the contaminated soil and/or groundwater;
7. A description and results of bench/pilot studies;
8. Itemized cost estimates of alternative versus conventional technologies;
9. For alternative technologies the following must be provided:
  - a. A demonstration that the proposed technology has a substantial likelihood of achieving compliance with all applicable regulations and all corrective action remediation objectives necessary to comply with the Environmental Protection Act

- and the regulations and to protect human health and the environment;
- b. A demonstration that the proposed technology will not adversely affect human health or the environment;
- c. Copies of all Agency permits necessary to authorize the use of the alternative technology;
- d. Results of the monitoring program implemented to determine whether the proposed technology will achieve compliance with the applicable regulations and remediation objectives.

**F. Signatures**

I certify under penalty of law that this plan, supporting documents and all attachments were prepared under my direction or supervision. To the best of my knowledge and belief, this plan, supporting documents and all attachments are true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<b>Owner:</b> Midwest Petroleum	<b>Operator</b> Same
Name: <u>Mike McNutt</u>	Name: _____
Title: <u>Vice President</u>	Title: _____
Address: <u>6760 Southwest Ave</u>	Address: _____
<u>St. Louis MO 63143</u>	
Phone: <u>314 647 5550</u>	Phone: _____
Signature: <u><i>Mike McNutt</i></u>	Signature: _____
Date: <u>2-14-06</u>	Date: _____

**Consultant**

Firm: United Science Industries, Inc.

Contact: Bob Pulfrey

Title: Sr. Project Manager

Address: P.O. Box 360

Woodlawn, IL 62898

Phone: (618) 735-2411 xt 145

Signature: *Bob Pulfrey*

Date: 2/15/06

**Amended Corrective Action Plan**  
**Midwest Petroleum/Shiloh**  
**Incident No. 982804**  
**Date: February 8, 2006**

In an Agency letter dated September 1, 2004, the Corrective Action Plan (CAP) and Budget dated August 13, 2004 was conditionally approved. Within section E 1 (see page 8 of the report) the CAP proposed that during the excavation of contaminated soil, clean soil (clean overburden) would be stockpiled and used for backfill whereas the contaminated soil would be transported to the landfill. The CAP estimates that based on the tonnage of contaminated soil and the time for a truck to make a round trip to the Roxanna Landfill, simultaneous soil removal and backfilling would require a total of 25 days to complete. However, the CAP did not provide an estimate for the amount of time to complete the clean overburden excavation, clean overburden stockpiling, and clean overburden backfilling. This estimate was an oversight which is being corrected by this Amended CAP.

The corrective action excavation, transportation, disposal, overburden removal and backfilling have been completed. The amount of soil handled included 14,000 cu yd of contaminated soil to landfill, 5,327 cu yd of clean overburden to stockpile, 12,100 cu yd of clean backfill from a local source, and 5,327 cu yd of clean overburden from stockpile to backfill. A total of 36,664 cu yd of soil was handled. This Amended CAP provides an additional 18 days required to complete the clean overburden excavation, clean overburden stockpiling, and clean overburden backfilling in conjunction with the simultaneous contaminated soil removal and backfilling. The total number of days to complete the contaminated soil activities, the clean overburden activities, and the backfilling activities is 43 days.

The 43 days for handling of contaminated soil, clean backfill, and clean overburden is based upon Midwest LUST site specific conditions such as the distance to the landfill, distance to the backfill source, local traffic conditions, and size of the excavator bucket. In testimony by Brian Bauer (Agency Project Manager in the LUST Section of the Agency since 1992) in Support of the Environmental Protection Agency's Proposal to Adopt 35 Ill. Adm. Code 734, R04-23 (March 8, 2004), Mr. Bauer supported a production rate of 250 cubic yards of contaminated fill material removal and disposal in one-half day. Mr. Bauer further stated that "most soils can be excavated into a truck via a 1 cubic yard backhoe at a rate of 57 cubic yards per hour." The application of 57 cu yd per hour to an 8 hour day provides an anticipated production rate of 456 cu yd per day. In testimony by Harry A. Chappel, P.E. (Unit Manger in the LUST Section of the Agency) Mr. Chappel testified in support of the same proposal to amend 25, Ill. Adm. Code, Part 732. The testimony of Mr. Bauer and Mr. Chappel was consistent with previous telephone conversations and emails by USI with Agency officials such as Doug Clay, Dave Meyers, and Mike Heaton when the Agency provided USI guidance that 500 cu yd per day of production was considered reasonable for excavation, transportation, and disposal of contaminated soil. The Agency had further applied the 500 cu yd per day of production to the handling of clean overburden and backfill. The production rate for a total of 36,664 cu yd of soil handled (including backfill) over 43 days is 852 cu yd per day.

The Agency conditionally approved CAP of August 13, 2004 stated on page 13 "the advancement of the excavation as well as the segregation of clean overburden vs. contaminated soil will be based on screening samples with a model 580B Thermo Environmental photo-ionization" and "screening samples will be collected both horizontally and vertically as the excavation proceeds". An Environmental Technician was provided in the budget to perform this activity which is essential to making certain that

**Amended Corrective Action Plan  
Shiloh/Former Wei/Midwest Petroleum  
LUST Incident No. 982804**

the excavation, disposal, and overburden does not exceed the minimum requirements of the Act. It is the Environmental Technician that is responsible to guide the excavation and clean overburden activities by screening the soils with a PID and by collecting samples including overburden confirmation samples as the Agency approved CAP and Budget had explicitly stated.

In addition, the minimum requirements of the Act were enforced by having the Environmental Technician onsite during the corrective action activities. The budgeted amount of contaminated soil disposal was 15,910 cubic yards while the actual volume was 14,000. Thus, by having the Environmental Technician onsite for the 18 days, the volume of disposed soil was reduced by 1,910 cubic yards saving the LUST fund \$98,193.10 (1,910 cubic yards x \$51.41/yard). Likewise, the clean overburden budget was 6,678 cubic yards while the actual volume was 5,327 cubic yards. Thus, by having the Environmental Technician onsite for the 18 days, the volume of overburden was reduced by 1,351 cubic yards saving the LUST fund a total of \$8,781.50 (1,351 x \$6.50/yd.). In testimony by Brian Bauer (Agency Project Manager in the LUST Section of the Agency since 1992) in Support of the Environmental Protection Agency's Proposal to Adopt 35 Ill. Adm. Code 734, R04-23 (March 8, 2004), Mr. Bauer supported a half day of professional consulting services for each 250 cubic yards of contaminated soil removed and disposed. In testimony by Harry A. Chappel, P.E. (Unit Manger in the LUST Section of the Agency) Mr. Chappel testified in support of the same proposal to amend 25, Ill. Adm. Code, Part 732. Therefore, 180 additional hours of Environmental Technician time is requested (18 days @ 10 hours per day). The additional hours are needed for the screening overburden with a PID, sampling overburden stockpile samples, surveying, collecting floor and wall samples in the areas underlying overburden and sample shipping.

The extended schedule also extends the Environmental Specialist hours for tracking of manifests and weight tickets (contaminated soil and backfill materials) during the additional 18 days of excavation, transportation, disposal (ETD), overburden removal, and backfilling.

Additional Project Manager hours for professional oversight in the field for the additional 18 days of overburden removal and ETD is also hereby requested. The original budget (Page G-2) of the budget requested 2 hrs per day X 25 days. USI hereby requests 2 hrs per day X additional 18 days for 36 hours of PM time.

In addition to the above, the Professional Engineer, Sr. Project Manager, and clerical hours are provided in this Amended Budget for preparation of this Amended CAP and Budget.

# BUDGET AND BILLING FORM FOR LEAKING UNDERGROUND STORAGE TANKS SITES

## A. SITE INFORMATION

Site Name: Midwest Petroleum (Former Wei Enterprises)

Site Address: 529 Maple St. City: Shiloh

Zip: 62914

County: St. Clair IEPA Generator No.: 16311255004

IEMA Incident No.: 982804 IEMA Notification Date: Nov. 12, 1998

Date this form was Prepared: February 14, 2006

This form is being submitted as a:

- Budget Proposal
- Budget Amendment (Budget Amendments must include only the cost over the previous budget.)

Amendment Number: No. 4

Billing Package for costs incurred pursuant to 35 Illinois Administrative Code (IAC), Part 732 ("new program").

Name(s) of report(s) documenting the costs requested: \_\_\_\_\_

ACAP Date(s): Feb-06

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

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

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

A-1

**This form must be submitted in duplicate.**

The Agency 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 request hereunder.

This form has been approved by the Forms Management Center.

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: Midwest Petroleum

Send in care of: Southwest Bank/Commercial Lending-Jennifer Vescogni (Acct. #0032713725)

Address: #2 Carlyle Plaza Drive

City: Belleville State: Illinois Zip: 62221

Former Wei Enterprises

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

Number of incidents reported to IEMA: 1

Incident Numbers assigned to the site due to releases from USTs: 982804

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>6,000</u>	<u>Yes</u>	<u>982804</u>	<u>UST System</u>
<u>Gasoline</u>	<u>8,000</u>	<u>Yes</u>	<u>982804</u>	<u>UST System</u>
<u>Gasoline</u>	<u>8,000</u>	<u>Yes</u>	<u>982804</u>	<u>UST System</u>
<u>Diesel</u>	<u>8,000</u>	<u>Yes</u>	<u>982804</u>	<u>UST System</u>



**B. PROPOSED BUDGET SUMMARY AND BUDGET TOTAL**

1.	Investigation Costs:	<u>\$0.00</u>
2.	Analysis Costs:	<u>\$0.00</u>
3.	Personnel Costs:	<u>\$13,555.00</u>
4.	Equipment Costs:	<u>\$0.00</u>
5.	Field Purchases and Other Costs:	<u>\$0.00</u>
6.	Handling Charges:	<u>\$0.00</u>

**TOTAL PROPOSED BUDGET = \$13,555.00**

**B-1**

**This must be submitted in duplicate.**

**G. PERSONNEL**

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

Professional Engineer : 2 hours x \$115.00 per hour = \$230.00  
(Title)

Task to be performed for the above hours: Amended Budget: Certification of Budget Amendment 4  
Review of Amended CAP

Sr. Project Manager : 4 hours x \$100.00 per hour = \$400.00

Task to be performed for the above hours: Amended Budget: Prepare Amended CAP & Budget  
Prepare submittal correspondence and additional project management

Clerical : 0.5 hours x \$40.00 per hour = \$20.00  
(Title)

Task to be performed for the above hours: Amended Budget: Copy, Bind, Mail, File

Environmental Technician : 180 hours x \$53.00 per hour = \$9,540.00  
(Title)

Task to be performed for the above hours: Corrective Action: Screening Overburden w PID, sampling overburden  
stockpiles, surveying, collecting wall & floor samples, sample shipping

Environmental Specialist : 16 hours x \$65.00 per hour = \$1,040.00  
(Title)

Task to be performed for the above hours: Corrective Action: Add'l Tracking manifests & weight tickets  
for contaminated soil and backfill

Sr. Project Manager : 36 hours x \$100.00 per hour = \$3,600.00  
(Title)

Task to be performed for the above hours: Corrective Action:  
Add'l Professional Oversight (18 days x 2 hrs.=36)

\_\_\_\_\_ : \_\_\_\_\_ hours x \_\_\_\_\_ per hour = \_\_\_\_\_  
(Title)

Task to be performed for the above hours: Pre-Corrective Action:

\_\_\_\_\_ : \_\_\_\_\_ hours x \_\_\_\_\_ per hour = \_\_\_\_\_  
(Title)

Task to be performed for the above hours: Pre-Corrective Action:

\_\_\_\_\_ : \_\_\_\_\_ hours x \_\_\_\_\_ per hour = \_\_\_\_\_  
(Title)

Task to be performed for the above hours: Post-Corrective Action:

\_\_\_\_\_ : \_\_\_\_\_ hours x \_\_\_\_\_ per hour = \_\_\_\_\_  
(Title)

Task to be performed for the above hours: Post-Corrective Action:





Office of the Illinois  
**State Fire Marshal**

CERTIFIED MAIL - RECEIPT REQUESTED # Z 082 408 372

General Office  
217-783-0200  
FAX  
217-782-1062  
Divisions  
ARSON INVESTIGATION  
217-782-9116  
BOILER and PRESSURE  
VESSEL SAFETY  
817-783-3894  
FIRE PREVENTION  
217-783-4174  
MANAGEMENT SERVICES  
217-782-0888  
INFIRS  
217-785-8128  
HUMAN RESOURCES  
817-785-4878  
PERSONNEL STANDARDS  
and EDUCATION  
817-783-4942  
PETROLEUM and  
CHEMICAL SAFETY  
217-783-8978  
PUBLIC INFORMATION  
217-783-1021  
WEB SITE  
www.sfm.state.il.us

January 27, 1999

Wel Enterprises  
541 Maple Street  
Shiloh, IL 62269

In Re:

Facility No. 6-013126  
IEMA Incident No. 98-2804  
Wel Enterprises  
529 Maple St  
Shiloh, St. Clair Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application, received on December 9, 1998 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 \$10,000. The costs must be in response to the occurrence referenced above and associated with the following tanks:

**Eligible Tanks**

Tank 1 8,000 gallon Gasoline  
Tank 2 8,000 gallon Gasoline  
Tank 3 8,000 gallon Diesel  
Tank 4 6,000 gallon Gasoline

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 which 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

Hearing 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 105.107(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 between 3:00 - 4:00 p.m.

Sincerely,

*Malvin H. Smith*

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

MHS:vlc

cc: IER/A  
 Facility File