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STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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

**MOTION TO INCORPORATE DOCUMENTS BY REFERENCE**

COMES NOW the Petitioner, WEBB & SONS, INC. (hereinafter "Petitioner"), by and through its attorneys, Harrington & Tock, and, pursuant to 35 Ill. Adm. Code 101.306(a), hereby requests permission to incorporate documents from records of other Pollution Control Board dockets into this proceeding and, in support thereof, states as follows:

1. 35 Ill. Adm. Code 101.306(a) provides that, upon the written request of any person, the Board or hearing officer may incorporate documents from the record of another Board docket into any proceeding. The person seeking incorporation must demonstrate to the Board or the hearing officer that the material to be incorporated is authentic, credible, and relevant to the proceeding.
2. The Petitioner seeks permission to incorporate the following documents from the following Board dockets:
  - a. Petition For Review of Illinois Environmental Protection Agency's Decision to Deny Petitioner's Budget For Site Investigation Activities; Webb & Sons, Inc. v. Ill. EPA; PCB 05-183;

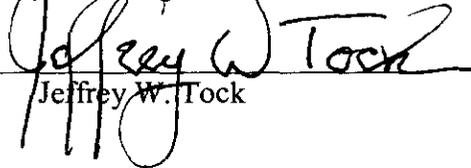
- b. Excerpts from Administrative Record filed by the Agency with the Pollution Control Board on May 27 2005; PCB 05-183;
  - c. Testimony Of Douglas W. Clay Regarding The Illinois Pollution Control Board's Proposed 35 Ill. Adm. Code 732.845 And 734.845; R 04-22(B) and R 04-23(B);
  - d. Excerpts from Testimony of Douglas W. Clay In Support of the Environmental Protection Agency's Proposal To Amend 35 Ill. Adm. Code 732 (filed March 08, 2004); R 04-22; and
  - e. Testimony of Harry A. Chappel, P.E. In Support of the Environmental Protection Agency's Proposal To Amend 35 Ill. Adm. Code 732 (filed March 08, 2004); R 04-22.
3. Four copies of each of the above documents are attached hereto.
4. The Petition in PCB 05-183 and excerpts of the Administrative Record were copied from the files of the undersigned attorney and are true and accurate copies of the Petition filed with the Pollution Control Board by Petitioner on April 6, 2005 and the Administrative Record filed with the Pollution Control Board by the Illinois Environmental Protection Agency on May 27, 2005. All other documents were obtained from the Pollution Control Board on-line e-library of documents filed by the Illinois EPA in favor of proposed amendments of 35 Ill. Adm. Code 732 and 734 of Pollution Control Board rule-making cases R 04-22(B) and 23(B).
5. All of these materials are relevant to the Petition to review the Agency's denial of all personnel costs in Petitioner's CAP budget. All of the documents

from other Board dockets show the vast experience the Agency has obtained from reviewing over 12,800 budgets in 15 years, and that was in 2004. The materials filed by the Agency in R 04-22(B) and 23(B) in support of lump sum payments for personnel costs show the Agency's detailed analysis of personnel costs required for the creation and implementation of all corrective action plans.

6. These documents from other Board records are relevant to show that the Agency has such a vast knowledge of corrective action plan budgets that it could have made a determination of the reasonableness of the Petitioner's proposed personnel costs without requesting additional break-downs of the hours to be expended by each person identified as having a role in the preparation and implementation of the Petitioner's Corrective Action Plan.

WHEREFORE, for the reasons set forth above, Petitioner respectfully moves for permission from the hearing officer in this matter to incorporate the above described documents into this proceeding.

WEBB & SONS, INC., Petitioner, by it  
attorneys, Harrington & Tock

By:   
Jeffrey W. Tock

Prepared by:

Jeffrey W. Tock  
Harrington & Tock  
201 W. Springfield Ave.  
PO Box 1550  
Champaign, IL 61824-1550  
(217) 352.4167

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

WEBB & SONS, INC., )  
 )  
 Petitioner, )  
 )  
 vs. ) PCB No. *05-183*  
 ) (UST Appeal)  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

**PETITION FOR REVIEW OF ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY'S DECISION TO DENY  
PETITIONER'S BUDGET FOR SITE INVESTIGATION ACTIVITIES**

NOW COMES the Petitioner, WEBB & SONS, INC. (hereinafter "Petitioner"), by and through its attorney's, Harrington & Tock, and, pursuant to Sections 40 and 57.7 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/40, 5/57.7), and 35 Ill. Admin. Code Part 105, hereby requests review of the decision by the Respondent, Illinois Environmental Protection Agency ("Agency"), to not approve as submitted the Petitioner's budget for Stage 2 site investigation activities. In support of this Petition, the Petitioner states as follows:

1. Petitioner is the owner of certain property located at 1201 DeWitt Avenue, Mattoon, Illinois, hereinafter referred to as "the Site".
2. Petitioner is the owner of underground storage tanks ("USTs") formerly located at the Site.
3. Petitioner has submitted to the Agency its Site Investigation Stage 1 Completion Report (the "Report") dated January 18, 2005.
4. Part 5.0 of that Report contained a description of future investigation needed to delineate soil and ground water contamination (Site Investigation – stage 2). A

true and accurate copy of part 5.0 of the Report is attached hereto and made a part hereof as Exhibit "A".

5. In conjunction with the Report, Petitioner also submitted to the Agency a Site Investigation – Stage 2 Budget. A true and accurate copy of the Site Investigation – Stage 2 Budget is attached hereto and made a part hereof as Exhibit "B".
6. By letter dated February 8, 2005, the Agency approved the site investigation plan – stage 2 contained in part 5.0 of the Report, but modified the proposed budget (Exhibit "B"). The Agency made the following deductions from the budget:
  - (a) \$1,500.00 for a professional survey from Other Costs as not eligible; and,
  - (b) \$17,610.00 from Personnel Costs for lack of supporting documentation.The Agency requested further justification of personnel costs. (The Agency's letter is attached as Exhibit "C".)
7. By letter dated February 15, 2005, Petitioner submitted justification of surveying costs and a breakdown and justification of personnel costs. (The Petitioner's letter is attached as Exhibit "D".)
8. By letter dated February 25, 2005, Petitioner submitted a request that the Agency reconsider its decision to modify the budget as submitted by Petitioner and approve the budget as proposed. (The Petitioner's letter is attached as Exhibit "E".)
9. By letter dated March 2, 2005, the Agency revised its February 5, 2005 modifications, stating that the Agency had made the following deductions:
  - (a) \$1,500 for a professional survey from Other Costs as not eligible; and,
  - (b) \$7,906 from Personnel Costs as unreasonable.

10. The Agency's March 2, 2005 letter further stated that "An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board... within 35 days after the date of issuance of the final decision". The Agency's March 2, 2005 letter is attached as Exhibit "F".)
11. The Investigation of the Site requires the installation of borings and wells on adjacent properties. It is, therefore, necessary to identify property boundaries accurately. In addition, the legal description for the site will ultimately be required for corrective action completion. The only accurate and complete way to identify property boundaries is to utilize a professional surveyor.
12. All investigations, plans and reports under sec. 57.7 of the Act shall be conducted or prepared under the supervision of a licensed professional engineer. (415 ILCS 5/57.7.) A Site Investigation Completion Report must be signed and sealed by a professional engineer and must contain the following statement: "To the best of my knowledge and belief, this report, supporting documents and all attachments are true, accurate and complete." The Professional Engineering Practice Act of 1989 states:

*The use of a professional engineer's seal on technical submissions constitutes a representation by the professional engineer that the work has been prepared by or under the personal supervision of the professional engineer or developed in conjunction with the use of accepted engineering standards. (225 ILCS 325/14)*

This Act further states:

*Signing, affixing the professional engineer's seal or permitting the professional engineer's seal to be affixed to any technical submissions not prepared as required by Section 14 or completely reviewed by the professional engineer or under the professional engineer's direct supervision is prohibited and may result in loss of license and/or civil penalties. (225 ILCS 325/24)*

13. The Agency denied all professional engineer hours from the budget. As stated above, a professional engineer cannot certify a technical submission that has not

been prepared under the professional engineer's supervision and review. The professional engineer hours are necessary to comply with the requirements of the Professional Engineering Practice Act of 1989 and with the requirements of the Agency.

14. All project manager hours were denied by the Agency. The project manager is a vital part of any project in the engineering and consulting industry. The use of a project manager is industry standard. Management personnel are utilized for personnel scheduling, billing, technical reviews, and general project oversight. The use of management hours is necessary to ensure a timely, cost-effective, and technically accurate product.
15. All work approved by the Agency in the Site Investigation Plan cannot feasibly be completed by the number of hours in the amended budget. Personnel costs of \$12,816 were approved by the Agency on March 5, 2004 for the previous Site Investigation Plan work which proposed 36 feet of soil borings and 60 feet of monitoring wells to be installed on-site. This averaged \$133.50 per foot. The current Site Investigation Plan dated January 18, 2005, approved by the Agency in a letter dated February 8, 2005, proposed 132 feet of soil borings and 45 feet of monitoring wells to be installed off-site. Off-site wells and borings require authorization of adjacent property owners and city permits, which entails additional personnel hours. A total of 81 additional feet of soil borings and monitoring wells have been approved by the Agency for this stage of site investigation which also entails additional personnel hours. The Petitioner requested \$17,610 for personnel costs related to this stage of site investigation. This averages \$99.49 per foot – much less than previously

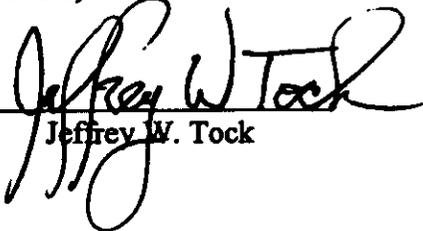
approved. The Agency only approved \$9,704 of personnel costs in its letter dated March 2, 2005. This cost averages \$54.82 per foot, which is not reasonable.

16. Petitioner is seeking review of the Agency's March 2, 2005, determination rejecting the budget for the above-referenced costs. The Agency's determinations are arbitrary, capricious, and without statutory authority.

WHEREFORE, for the above and foregoing reasons, Petitioner, WEBB & SONS, INC., respectfully requests that the Illinois Pollution Control Board grant the following relief:

1. Find that the Agency's March 2, 2005 decision is arbitrary and capricious, and without statutory authority.
2. Reverse the Agency's decision regarding the budget,
3. Remand this matter to the Agency with instructions to approve the budget,
4. Award Petitioner reasonable consulting fees and expenses incurred in bringing this action.
5. Award such further relief as deemed just and equitable in these premises.

WEBB & SONS, INC.,  
Petitioner,

By:   
Jeffrey W. Tock

Dated: April 5, 2005

Jeffrey W. Tock  
Harrington & Tock  
201 W. Springfield Ave., Suite 601  
P.O. Box 1550  
Champaign, Illinois 61824-1550  
Telephone: (217) 352-4167

**EXHIBIT "A"**



201 W. Springfield Ave., Suite 300  
P.O. Box 140  
Champaign, Illinois 61824-0140  
BUS. (217) 352-6976  
FAX (217) 356-0570

January 20, 2005

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

RE: Site Investigation Stage 1 Completion Report & Stage 2 Budget  
LPC # 0290255079 - Coles County  
Mattoon / Webb & Sons, Inc.  
1201 DeWitt Avenue  
LUST Incident No.: 931126  
LUST Technical File

Dear Mr. Malcom:

The Site Investigation Stage 1 Completion Report and Stage 2 Budget for the referenced site are enclosed for your review. If you have any questions or need additional information, you may contact me at (217) 352-6976 or [jason.jones@hdc-eng.com](mailto:jason.jones@hdc-eng.com).

Respectfully Submitted,  
HDC Engineering

A handwritten signature in black ink, appearing to read "Jason Jones", written over a horizontal line.

Jason Jones  
Environmental Professional

cc: Doris Webb  
file

Enclosures

**Illinois Environmental Protection Agency  
Leaking Underground Storage Tank Program  
Site Investigation Stage 1 Completion Report**



**Site Location**

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

**Prepared For**

Doris Webb  
1201 DeWitt Avenue  
Mattoon, Illinois 61938

**Prepared by**

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

HDC Project No. 01323

January 18, 2005

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

**Illinois Environmental Protection Agency  
Leaking Underground Storage Tank Program  
LUST Technical Form Cover Page**

IEMA Incident #: 20021577/931126 IEPA LPC# (10-digit): 0290255079

Site Name: Webb & Sons, Inc.

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

City: Mattoon County: Coles ZIP Code: 61938

*Please indicate below the type of plan/report that is being submitted to the Illinois EPA at this time. This form must be attached to all plans and reports submitted to the Illinois EPA pursuant to 35 Ill. Adm. Code 731, 732 and/or 415 ILCS 5/57-57.17. Please check all that apply.*

- 20 Day Certification \_\_\_\_\_
- 45 Day Report \_\_\_\_\_
- Free Product Removal Report \_\_\_\_\_
- Owner/Operator Summary \_\_\_\_\_
- Election to Proceed Under Title XVI \_\_\_\_\_

	Initial Submittal	Amended Submittal
Site Investigation Plan	_____	_____
Site Investigation Budget	✓ _____	_____
Site Investigation Completion Report	✓ _____	_____
Site Classification Plan	_____	_____
Site Classification Plan Budget	_____	_____
Site Classification Completion Report	_____	_____
Groundwater Monitoring Plan (Low Priority)	_____	_____
Groundwater Monitoring Plan Budget (Low Priority)	_____	_____
Groundwater Monitoring Results (Low Priority)	_____	_____
Corrective Action Plan	_____	_____
Corrective Action Plan Budget (High Priority)	_____	_____
Corrective Action Completion Report	_____	_____
Professional Engineer Certification	_____	_____
Other (specify) _____	_____	_____

<b>1.0</b>	<b>Site History .....</b>	<b>3</b>
<b>2.0</b>	<b>Site Description .....</b>	<b>3</b>
<b>3.0</b>	<b>Site Investigation Results .....</b>	<b>3</b>
3.1	Soil Investigation Activities .....	3
3.2	Groundwater Investigation Activities .....	4
3.3	Groundwater Elevation and Flow Direction .....	5
3.2	Groundwater Flow Velocity .....	5
3.3	Vapor Investigation Activities .....	5
3.4	Community and Potable Well Survey .....	6
3.5	Surface Bodies of Water .....	6
<b>4.0</b>	<b>Discussion of Subsurface Investigation.....</b>	<b>6</b>
<b>5.0</b>	<b>Future Investigation .....</b>	<b>6</b>

**Appendices**

Appendix A	Site Investigation Report Form
Appendix B	Site Map
Appendix C	Soil Boring Logs
Appendix D	Monitoring Well Construction Diagrams
Appendix E	Laboratory Reports and Chain-of-Custody Forms
Appendix F	Analytical Results Table
Appendix G	Hydraulic Conductivity Test Data

<b>Results of Subsurface Accesses Survey</b>	
<b>Sampling Location</b>	<b>PID Reading (ppm)</b>
storm sewer inlet (southwest corner of DeWitt and 12 <sup>th</sup> St.)	1.6
storm sewer inlet (southeast corner of DeWitt and 12 <sup>th</sup> St.)	1.9
storm sewer inlet (northeast corner of DeWitt and 12 <sup>th</sup> St.)	1.3
storm sewer inlet (northwest corner of DeWitt and 12 <sup>th</sup> St.)	1.6

The PID readings do not appear to indicate elevated vapors due to the Site. Additionally, to our knowledge, no petroleum vapors or odors have been reported in any nearby buildings or utility conduits since the original report of the release.

### **3.4 Community and Potable Well Survey**

The Illinois Environmental Protection Agency (IEPA), Bureau of Water, Division of Public Water Supply, Illinois State Geological Survey (ISGS) and Illinois State Water Survey (ISWS) were previously contacted to identify all community water supply wells within 2,500 feet and potable water supply wells within 200 feet of the former tank. This information was provided in the 45 Day Report, dated March 13, 2003, and received by IEPA on February 3, 2003. Refer to the 45 Day Report for the water well survey data.

The Village of Mattoon Public Works Engineering Department was contacted to determine if a local ordinance or policy exists that regulates the use of potable water supply wells. David Wortman indicated that no local ordinance or policy exists that regulates the use of potable water supply wells in Mattoon.

### **3.5 Surface Bodies of Water**

A site survey was conducted to identify any surface bodies of water within 100 feet of the UST system. No such bodies of water were observed within the 100-foot radius.

## **4.0 Discussion of Subsurface Investigation**

The laboratory results of the soil and groundwater samples indicate the presence of petroleum contamination at concentrations above the applicable Tier 1 Cleanup Objectives at B1, B2, MW1, and MW3 see tables in Appendix F for specific data. These results provide evidence that there is migration of petroleum contamination through natural and man-made pathways at the site.

Petroleum vapors or odors have not been reported in nearby dwellings or utility conduits since the original report of the release. The storm sewer survey indicated no locations with significant detectable organic vapors. Based on this information, it appears unlikely that an immediate threat to human health or safety, or a risk of explosions, exists at the Site.

## **5.0 Future Investigation**

Based on analytical results to date, soil and groundwater contamination has not been fully delineated. Current data suggest extensive soil contamination on-site. It should be

noted that the distance between and lack of data points on-site creates a large margin of error when predicting contamination migration. Future investigation activities will focus on minimizing this margin of error by increasing the number of data points, thereby reducing the cost of remedial activities. Additional monitoring wells are required to delineate BTEX contamination to the north and northeast of the site. Additional soil borings are required to delineate on-site contamination. MTBE contamination has been fully delineated. Therefore, analysis of this constituent need not be addressed in this stage of the investigation. Future investigation at the site will include the following:

- Three monitoring wells will be installed to the north and northeast of the site to delineate the contamination present in MW3.
  - MW5 will be installed off-site on the northwest corner of DeWitt Ave. and 12<sup>th</sup> St.
  - MW6 will be installed off-site on the northeast corner of DeWitt Ave. and 12<sup>th</sup> St.
  - MW7 will be installed off-site on the southeast corner of DeWitt Ave. and 12<sup>th</sup> St.
  
- Groundwater samples will be collected from monitoring wells MW1 – MW7 and sent to an accredited laboratory for BTEX analysis. A total of 7 groundwater samples will be collected. One groundwater field blank will be collected and analyzed for BTEX.
  
- Eight soil borings will be advanced to a depth of 12 feet on-site and three soil borings will be advanced to a depth of 12 feet off-site and sent to an accredited laboratory for BTEX analysis. A total of 11 soil borings will be advanced to delineate contamination of the site.
  - B4 will be advanced approximately 40 feet west of PTS4.
  - B5 will be advanced approximately 7 feet south of the north sidewalk and 118 feet west of the east sidewalk.
  - B6 will be advanced approximately 20 feet east of B5 and 15 feet south of MW2.
  - B7 will be advanced south of tank bed #5, approximately 40 feet east of the west property boundary.
  - B8 will be advanced 25 feet north of MW4.
  - B9 will be advanced approximately 15 feet west of MW4 and approximately 45 feet south of PTS1.
  - B10 will be advanced approximately 20 feet east of MW1.
  - B11 will be advanced approximately 20 feet south of MW1.
  - B12 will be advanced approximately 15 feet west of MW1.
  - B13 will be advanced approximately 20 feet north of MW1.
  - B14 will be advanced approximately 45 feet north of PTS2 on the north side of DeWitt Ave.
  
- In addition to the samples collected from soil borings B4 – B13, soil samples will also be collected from MW5, MW6, and MW7. The zone exhibiting the highest PID reading from each boring will be selected for laboratory analysis. A second sample, deeper than the first, also will be selected for laboratory analysis in order to define the vertical extent of contamination. In the absence of definitive PID readings, samples will be collected based on similar depths of known contamination. Soil sample collection will follow SW-846 Method 5035 for BTEX.

- **Permission to access adjacent properties to the north, northeast, and southwest for investigation will be requested from the property owners. If access is granted groundwater and soil investigation will be performed on these properties.**

**Soil borings, well installation, and sample collection will follow procedures described in Section 3.0 of this report. Wells are expected to be 15 feet deep and soil borings are expected to be 12 feet deep. However, depths may be increased based on field screening results. Boring locations as shown in Appendix B are approximate. Actual locations may vary based on physical barriers such as utility lines, utility poles, trees, and ground cover (e.g., concrete drives).**

**A budget for the next phase of delineation is being submitted with this plan.**

**If the data gathered from this proposed phase of investigation is sufficient to delineate soil and groundwater contamination, a corrective action plan and budget will be developed. If groundwater contamination is not fully delineated, an additional investigation plan and budget will be submitted for approval.**

**EXHIBIT "B"**

**Illinois Environmental Protection Agency  
Leaking Underground Storage Tank Program  
Site Investigation – Stage 2 Budget**



**Site Location**

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

**Prepared For**

Doris Webb  
1201 DeWitt Avenue  
Mattoon, Illinois 61938

**Prepared by**

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

HDC Project No. 01323

January 18, 2005

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## **LIST OF CONTENTS**

**Site Information Form**

**Proposed Budget Summary and Budget Total Form**

**Investigation Costs Form**

**Analysis Costs Form**

**Personnel Form**

**Equipment Costs Form**

**Field Purchases and Other Costs Form**

**Handling Charges Form**

**Owner/Operator and Professional Engineer Budget Certification Form**

**Eligibility and Deductibility Determination**

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

**A. SITE INFORMATION**

Site Name: Webb & Sons, Inc.  
Site Address: 1201 DeWitt Avenue City: Mattoon  
Zip: 61938  
County: Coles IEPA Generator No.: 0290255079  
IEMA Incident No.: 931126 and 20021577 IEMA Notification Date: May 7, 1993  
Date this Form was Prepared: January 2005

This form is being submitted as a:

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

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

- Early Action  Site Classification  
 Low Priority Corrective Action  High Priority Corrective Action  
 Other (indicate activities) Site Investigation – Stage 2

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

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

1. Investigation Costs: \$ 7,916.10
2. Analysis Costs: \$ 2,143.92
3. Personnel Costs: \$ 17,610.00
4. Equipment Costs: \$ 740.00
5. Field Purchases and Other Costs: \$ 2,650.00
6. Handling Charges: \$ 147.08

**TOTAL PROPOSED BUDGET = \$ 31,207.10**

**E. INVESTIGATION COSTS**

Method I \_\_\_\_\_ Method II \_\_\_\_\_ Method III \_\_\_\_\_ Not Applicable X

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

3 borings to 15 feet = 45 feet to be bored for monitoring wells

11 borings to 12 feet = 144 feet to be bored for soil borings

\_\_\_\_\_ borings to \_\_\_\_\_ feet = \_\_\_\_\_ feet to be bored for \_\_\_\_\_

\_\_\_\_\_ borings to \_\_\_\_\_ feet = \_\_\_\_\_ feet to be bored for \_\_\_\_\_

\_\_\_\_\_ borings to \_\_\_\_\_ feet = \_\_\_\_\_ feet to be bored for \_\_\_\_\_

Total Feet to be Bored: 165

Borings: 189 feet x \$ 14.00 per foot = \$ 2,646.00 (or)

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

\_\_\_\_\_ borings through \_\_\_\_\_ ft of bedrock = \_\_\_\_\_ Ft bedrock to be bored

\_\_\_\_\_ borings through \_\_\_\_\_ ft of bedrock = \_\_\_\_\_ Ft bedrock to be bored

Total Feet bedrock to be Bored: \_\_\_\_\_

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

\_\_\_\_\_ Hours x \$ \_\_\_\_\_ per Hour = \$ \_\_\_\_\_

3 # of Mobilizations @ \$ 250.00 per mobilization = \$ 750.00

Other Costs	Number of Units	Unit Cost	Total Cost
decon equipment – per day	3	\$190.00	\$570.00
decon/drumming labor – per hour	5	\$38.00	\$190.00
per diem, 3 man crew – per man-day	3	\$100.00	\$300.00
concrete cores – each, for wells	1	\$50.00	\$50.00
well installation – rig time	3	\$75.00	\$225.00
well installation – labor, 2-man crew – per hour	3	\$76.00	\$228.00

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

Material	Number of Units	Unit Cost	Total Cost
10' x 2" PVC screen	3	35.00	105.00
5' x 2" PVC riser	3	15.60	46.80
2" PVC bottom plug	3	8.00	24.00
locking cap	3	17.60	52.80
8" aluminum manway	3	82.00	246.00
filter sand	21	8.00	168.00
bentonite grout	6	12.00	72.00
concrete	5	8.50	42.50

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

Disposal of Cuttings: 6 drums x \$ 220.00 per drum = \$ 1,320.00

Disposal of Water: 4 drums x \$ 220.00 per gallon = \$ 880.00

Transportation Costs: \$ \_\_\_\_\_

Describe how the water/soil will be disposed: removed by licensed waste handler to be recycled.

Incinerated, or landfilled

Total Investigation Costs: \$ 7,916.10

**F. ANALYSIS COSTS**

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

\_\_\_\_\_ Moisture Content samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

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

Indicate method to be performed: \_\_\_\_\_

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

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

Indicate the method to be performed: \_\_\_\_\_

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

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

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

\_\_\_\_\_ samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

\_\_\_\_\_ samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

\_\_\_\_\_ samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

\_\_\_\_\_ samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

\_\_\_\_\_ samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

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

\_\_\_\_\_ 28 BTEX samples x \$ 48.75 per sample = \$ 1,365.00

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

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

pH Samples x \$                    per sample = \$                   

           Paint Filter samples x \$                    per sample = \$                   

           TCLP Lead samples x \$                    per sample = \$                   

           Flash Point samples x \$                    per sample = \$                   

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

  28   Dry Weight                    samples x \$ 12.50                    per sample = \$ 350.00

  28   Handling & Disposal                    samples x \$ 3.00                    per sample = \$ 84.00

                              samples x \$                    per sample = \$                   

                              samples x \$                    per sample = \$                   

                              samples x \$                    per sample = \$                   

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

  7   BTEX samples x \$ 40.31                    per sample = \$ 282.17

           PNA samples x \$                    per sample = \$                   

           LUST Pollutants samples x \$                    per sample = \$                   

           pH Samples x \$                    per sample = \$                   

  1   Lab and/or Field Bank samples x \$ 38.75                    per sample = \$ 38.75

           Flash Point samples x \$                    per sample = \$                   

  8   Handling & Disposal                    samples x \$ 3.00                    per sample = \$ 24.00

                              samples x \$                    per sample = \$                   

                              samples x \$                    per sample = \$                   

**TOTAL ANALYSIS COSTS = \$ 2,143.92**

**G. PERSONNEL**

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

Project Manager : 16 hours x \$ 99.00 per hour = \$ 1,584.00  
 (Title)

Task to be performed for the above hours: project supervision, administration, and review

Professional Engineer : 28 hours x \$ 90.00 per hour = \$ 2,520.00  
 (Title)

Task to be performed for the above hours: PE preparation and certification of reports, project oversight

Environmental Professional IV : 28 hours x \$ 77.00 per hour = \$ 2,156.00  
 (Title)

Task to be performed for the above hours: work plan development, report preparation

Environmental Professional III : 70 hours x \$ 75.00 per hour = \$ 5,250.00  
 (Title)

Task to be performed for the above hours: logging, soil and water sampling, survey, report writing

Environmental Professional II : 90 hours x \$ 65.00 per hour = \$ 5,850.00  
 (Title)

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

Draftsperson : 5 hours x \$ 50.00 per hour = \$ 250.00  
 (Title)

Task to be performed for the above hours: technical drawings for report

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

Task to be performed for the above hours: \_\_\_\_\_

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

Task to be performed for the above hours: \_\_\_\_\_

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

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_  
\_\_\_\_\_ : \_\_\_\_\_ hours x \$ \_\_\_\_\_ per hour = \$ \_\_\_\_\_  
(Title)

Task to be performed for the above hours: \_\_\_\_\_

**TOTAL PERSONNEL COSTS: \$ 17,610.00**







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

Other Costs	Quantity	Price/Item	Total Cost	Do Handling Charges Apply?
Mileage – per mile	500	\$0.38	\$190.00	no
Disposable bailers – each	7	\$10.00	\$70.00	no
Drums	10	\$60.00	\$600.00	no
Prints	12	\$1.00	\$12.00	no
Baggies – per box	2	\$3.00	\$6.00	no
Ice – per bag	3	\$2.00	\$6.00	no
Latex gloves – per box	2	\$10.00	\$20.00	no
Terracore samplers – each	28	\$2.00	\$56.00	no
Shipping (to client / IEPA)	4	\$10.00	\$40.00	yes
City Boulevard Cut Permit	3	\$50.00	\$150.00	yes
Survey	1	\$1,500.00	\$1,500.00	no

**TOTAL OTHER COSTS = \$ 2,650.00**

Subtotal Page I-2: \$2,650.00
Total Pages I-1 and I-2: \$2,650.00





Illinois Environmental Protection Agency

Owner/Operator and Professional Engineer Budget Certification Form for Leaking Underground Storage Tanks Sites

In accordance with 415 ILCS 5/57, if an owner or operator intends to seek payment from the UST Fund, an owner or operator must submit to the Agency, for the Agency's approval or modification, a budget which includes an accounting of all costs associated with the implementation of the investigative, monitoring and/or corrective action plans.

I hereby certify that I intend to seek payment from the UST Fund for performing Site Investigation activities at Webb & Sons, Inc. LUST site. I further certify that the costs set forth in this budget are necessary activities and are reasonable and accurate to the best of my knowledge and belief. I also certify that the costs included in this budget are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57 and no costs are included in this budget which are not described in the corrective action plan. I further certify that costs ineligible for payment from the Fund pursuant to 35 Illinois Administrative Code Section 732.606 are not included in the budget proposal or amendment. Such ineligible costs include but are not limited to:

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

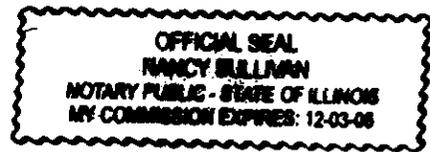
Owner/Operator: Doris Webb Title: Owner

Signature: [Handwritten Signature] Date: 1-18-05

Subscribed and sworn to before me the 18th day of January, 20 05. (Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

[Handwritten Signature] (Notary Public)

Seal:



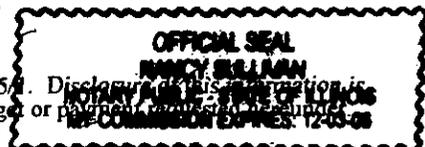
P.E.: Kevin Saylor

P.E. Signature: [Handwritten Signature] Date: 1/18/05

Subscribed and sworn to before me the 18th day of January, 20 05. (Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

[Handwritten Signature] (Notary Public)

Seal:



The Agency is authorized to require this information under 415 ILCS 5/57. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment from the UST Fund. This form has been approved by the Forms Management Center.



Office of the Illinois  
**State Fire Marshal**

General Office  
217-786-0888

FAX

217-782-1082

Divisions

ARSON INVESTIGATION

217-782-0718

BOILER and PRESSURE

VESSEL SAFETY

217-782-2888

FIRE PREVENTION

217-786-4714

MANAGEMENT SERVICES

217-782-0888

INFRA

217-788-8838

HUMAN RESOURCES

217-786-1038

PERSONNEL STANDARDS

and EDUCATION

217-782-4842

PETROLEUM and

CHEMICAL SAFETY

217-786-8878

PUBLIC INFORMATION

217-786-1021

WEB SITE

[www.state.il.us/office](http://www.state.il.us/office)

CERTIFIED MAIL - RECEIPT REQUESTED #7002 1000 0004 8741 6800

CORRECTED

July 12, 2002

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

In Re:

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

Dear Applicant:

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

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

**Eligible Tanks**

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

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

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

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

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

Aviation fuel

Heating oil

Kerosene

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

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

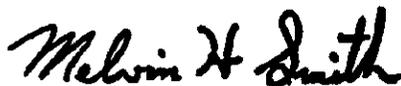
This constitutes the final decision as it relates to your eligibility and deductibility. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision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

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

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

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

Sincerely,



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

MHS/dl

cc: IEPA  
Facility File

## **EXHIBIT "C"**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

**CERTIFIED MAIL**

7002 3150 0000 1253 3918

**FEB 08 2005**

Mrs. Doris Webb  
8687 E. 150 N.  
Lema, Illinois 62440

**RECEIVED**  
**FEB - 9 2005**  
**HDC ENGINEERING**

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

Dear Mrs. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Site Investigation Plan (plan) submitted for the above-referenced incident. This plan, dated January 18, 2005, was received by the Illinois EPA on January 24, 2005. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Illinois EPA has determined that the activities proposed in this plan are appropriate to demonstrate compliance with Title XVI of the Act (Sections 57.7(a)(1) and 57.7(c) of the Act and 35 Ill. Adm. Code 732.503(b)). Therefore, the plan is approved.

In addition, the budget is modified pursuant to Sections 57.7(a)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 732.503(b). Based on the modifications listed in Section 2 of Attachment A, the amounts listed in Section 1 of Attachment A have been approved. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of reimbursement may be limited by Sections 57.8(d), 57.8(e) and 57.8(g) of the Act, as well as 35 Ill. Adm. Code 732.606(s) and 732.611.

**NOTE: Amended plans and/or budgets must be submitted and approved prior to the issuance of a No Further Remediation (NFR) Letter. Costs associated with a plan or budget that have not been approved prior to the issuance of an NFR Letter will not be reimbursable.**

Pursuant to Sections 57.7(a)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 732.100 and 732.105, the Illinois EPA requires submittal of a Site Investigation Completion Report within 30 days after completing the site investigation to:

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

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

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

Sincerely,



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

HAC: jrm

cc: HDC  
Division File

## Attachment A

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

Citations in this attachment 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).

### SECTION 1

As a result of the Illinois EPA's modification(s) in Section 2 of this Attachment A, the following amounts have been approved:

\$7,916.10	Investigation Costs
\$2,143.92	Analysis Costs
\$0.00	Personnel Costs
\$740.00	Equipment Costs
\$1,150.00	Field Purchases and Other Costs
\$147.08	Handling Charges

### SECTION 2

1. \$1,500.00 for surveying. These costs are for activities in excess of those required to meet the minimum requirements of Title XVI of the Act (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.505(c) and 732.606(o)).

The excessive costs submitted for surveying indicates that a professional surveyor is being utilized which is not required by the Agency.

2. \$17,610.00 for costs that lack supporting documentation (35 Ill. Adm. Code 732.606(gg)). A site investigation plan budget must include, but not be limited to, an accounting of all costs associated with the development, implementation, and completion of the site investigation plan (Section 57.7(a)(2) of the Act). Since there is no supporting documentation of costs, the Illinois EPA cannot determine if the minimum requirements necessary to comply with Title XVI have been exceeded (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.505(c) and 732.606(o)).

The Agency is requesting that the proposed personnel costs be further broken down to provide sufficient justification for the proposed personnel cost. The Agency is requesting information regarding the task performed by each person and the amount of time for each task performed. The Agency is requesting justification for the estimated amount of time to complete each task.

For example, the professional engineer is requesting 28 hours for P.E. preparation and certification of reports and project oversight. The Agency is requesting justification as to why it takes 28 hours to perform these tasks? If 28 hours is simply a budgeted guess, why was 28 hours proposed?

**TOTAL AMOUNT APPROVED FOR SITE INVESTIGATION AND CORRECTIVE ACTION ACTIVITIES TO DATE:**

\$13,390.90	Investigation Costs
\$5,029.67	Analysis Costs
\$12,816.00	Personnel Costs
\$1,574.00	Equipment Costs
\$1,685.64	Field Purchases and Other Costs
\$306.53	Handling Charges

jrm

## **EXHIBIT “D”**



February 15, 2005

201 W. Springfield Ave., Suite 300  
P.O. Box 140  
Champaign, Illinois 61824-0140  
BUS. (217) 352-6976  
FAX (217) 356-0570

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

RE: Site Investigation Plan  
Justification of Personnel Costs  
LPC # 0290255079 - Coles County  
Mattoon / Webb & Sons, Inc.  
1201 DeWitt Avenue  
LUST Incident No.: 931126  
LUST Technical File

Dear Mr. Malcom:

In response to your letter dated February 8, 2005, HDC Engineering (HDC) has prepared a breakdown and justification of the personnel hours that were denied from the Site Investigation Budget dated January 18, 2005. Please refer to Attachment A for justification of surveying costs and Attachment B for a complete breakdown and justification of personnel hours.

HDC would like to point out that the IEPA increases personnel costs every time it requires HDC to submit additional information. The IEPA required HDC to justify every line item of the last Site Investigation budget as well. Furthermore, the IEPA originally denied approval of the first Site Investigation Plan, submitted in September 2003, stating that the number of borings was unreasonable. However, four of the borings included in the approved Stage 2 plan are in similar locations on the Site as proposed in the denied plan, showing that the original plan was reasonable in the first place. Costs for the project would have been reduced had the original plan been approved in September 2003.

HDC has a highly qualified staff of environmental professionals, with many years of experience with underground storage tanks. This recurring requirement by the IEPA for micro-justification of personnel costs is redundant and time consuming, and is viewed as an affront to HDC's professionalism and experience. It also has the unfortunate result of increasing the overall costs and duration of the project. As your office has told HDC, one of the charters of the IEPA is to ensure the LUST fund is well spent. However, you consistently require HDC to duplicate effort in justifying cost when, in fact, the cost and work are already justified and reasonable.

James Malcolm  
February 15, 2005  
Page 2 of 2

If you have any questions I can be reached at 217.352.6976 or [kevins@hdc-eng.com](mailto:kevins@hdc-eng.com).

Respectfully Submitted,  
HDC Engineering

A handwritten signature in black ink, appearing to read "Kevin Saylor", with a long horizontal flourish extending to the right.

Kevin Saylor, PE  
Environmental Division Manager

cc: Doris Webb  
file

Enclosures

**EXHIBIT "E"**



February 25, 2005

201 W. Springfield Ave., Suite 300  
P.O. Box 140  
Champaign, Illinois 61824-0140  
BUS. (217) 352-6976  
FAX (217) 356-0570

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

RE: Site Investigation Plan  
Justification of Personnel Costs  
LPC # 0290255079 - Coles County  
Mattoon / Webb & Sons, Inc.  
1201 DeWitt Avenue  
LUST Incident No.: 931126  
LUST Technical File

Dear Mr. Malcom:

HDC Engineering (HDC) has been in contact with Sue Rennels of Representative Chapin Rose's office. As you are aware, Ms. Rennels has been in contact with the IEPA on behalf of Doris Webb, who is a constituent of Mr. Rose. In response to the recent Site Investigation (SI) budget, Ms. Rennels informed HDC that your office does not intend to approve the personnel requested as part of this budget, even considering the justification letter prepared by HDC and dated February 15, 2005. Ms. Rennels stated that your position is that SI personnel costs are limited to a range around \$12,000.

HDC agrees that this amount of personnel costs, depending on the site-specific scope of work, may be adequate for the first stage of SI. However, many sites, such as Webb's, require additional stages of SI. Each stage of investigation will require additional personnel costs. The personnel costs for additional stages may be greater than the first stage of investigation, as the work generally tends to incorporate adjacent properties, necessitating property boundary identification and right-of-entry agreements. Additionally, subsequent costs and associated work are not known until the each preceding stage is completed.

HDC would also like to point out that we have two other projects in the second stage of SI which are under the review of other IEPA units. Personnel costs for both of these projects were approved for each stage of SI as follows:

Stage 1	Stage 2	Total
\$14,972	\$16,710	\$31,682
\$13,974	\$12,333	\$26,307

It would appear that your unit's interpretation of SI is inconsistent with at least two other units in your section.

HDC maintains that additional stages of SI logically require additional personnel costs. The personnel costs approved for the first stage of SI were to perform and report on the field work for that stage, including three soil borings and four monitoring wells. The second stage will include personnel costs to perform and report on an additional eleven soil borings and three monitoring wells, several of which are off site. The technical portion of the work plan was approved, as well as all investigation, analytical, equipment, and most other costs. It is not reasonable that all of the work and non-personnel costs were approved, but the personnel costs to actually perform the work was not.

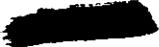
Your review letter dated February 8, 2005, does not refer to itself as a final decision or state that the decision can be appealed. HDC requests that you reconsider your decision and approve the proposed costs. In lieu of approval, HDC requests that you issue a final decision letter with the appeal attachment that is standard for budgets that have been approved with modifications.

If you have any questions I can be reached at 217.352.6976 or kevins@hdc-eng.com.

Respectfully Submitted,  
HDC Engineering



Kevin Saylor, PE  
Environmental Division Manager

cc: Doris Webb  
Sue Rennels  


## **Attachment A**

\$1,500 were deducted from the budget for surveying costs with the reasoning that a professional survey is not required by the Agency. The requirements of Title XVI do not specifically require a professional survey as part of a LUST incident. However, it has been HDC's experience that professional survey's are ultimately necessary to delineate and obtain No Further Remediation status for LUST projects.

During the course of delineation, it is necessary to identify the site's property boundaries. The location of these boundaries is used to identify the extents of the property and to place off site boring locations.

The letter to request off site access to perform delineation and/or remediation on adjacent properties is essentially a contract between the LUST owner/operator and the adjacent property owner. Therefore, a professional boundary survey is crucial in identifying the site's and adjacent parcel's property limits to insure that the necessary access is obtained and that the necessary involved parties are protected by the off site access letter.

The accurate location of property boundaries is necessary for the use of highway authority agreements. These agreements require scaled maps identifying the impacted area and the extents of the agreement.

Environmental land use controls require the legal description of the property subject to the control. The professional boundary survey is used for this purpose.

The Property Owner Summary required for corrective action completion also requires a legal description. Again, the professional survey is used for this purpose.

In general, the reporting requirements of the LUST program require the accurate presentation of the site and adjoining properties, including utilities, roadways, and property boundaries. To fulfill these requirements, a professional survey is conducted. Sources such as county plat and aerial composite maps are not always of sufficient detail to accommodate the requirements to close a LUST incident. In some instances, a foot can mean the difference between a highway authority agreement and an environmental land use control. Additional land use controls requires a significant amount of additional consulting time and additional liability for the owner.

Required technical reports, such as the Site Investigation Completion Report and the Corrective Action Completion Report, require certification by a licensed Professional Engineer or Professional Geologist. The certification includes the following statement:

*To the best of my knowledge and belief, this report, supporting documents and all attachments are true, accurate and complete.*

The only accurate and complete way to identify property boundaries is to utilize a professional surveyor.

Because of these reasons, HDC requests that the Agency approve the \$1,500 for professional surveyor's costs. These costs have been approved on numerous other LUST budgets and billing packages.

## Attachment B

### Environmental Professional II (90 hours)

<b>Work Description</b>	<b>Number of Hours</b>
Work plan preparations (Stage 2 Site Investigation Work Plan and Budget)	22
Sample and log soil borings	20 (one EPII for two 10 hour days)
Pre-drill / Post-drill (JULIE locate, package and ship samples, etc.)	4
Off-site access (Obtain property and adjacent property tax cards, contacting and coordinating off-site access, including both IDOT and city right of ways)	12
Well development and survey	18 (two EPII's for one 9 hour day)
Well purging and sampling	10 (one EPII for one 10 hour day)
Miscellaneous* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)	4

### Environmental Professional III (70 hours)

<b>Work Description</b>	<b>Number of Hours</b>
Prepare Site Safety and Health Plan	2
Pre-drill / Post-drill (prepare soil log templates, load/unload sampling supplies, jar samples, ship samples, etc.)	4
Monitoring Well Installation (Supervise subcontractor, sample and log soil, etc.)	10
Well purging and sampling	10 (one EPIII for one 10 hour day)
Miscellaneous* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)	8
Report writing (Stage 2 and Stage 3 Site Investigation Work Plans and Budgets, including soil boring logs, analysis tabulation, and reimbursement)	36

Attachment B (continued)

Environmental Professional IV (28 hours)

<b>Work Description</b>	<b>Number of Hours</b>
Budget preparations	12
Report preparation and oversight	8
Miscellaneous* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)	8

Project Manager (16 hours)

<b>Work Description</b>	<b>Number of Hours</b>
Work plan preparation	3
Budget preparation and review	2
Site Safety and Health Plan preparation and review	1
Pre-drill oversight	1
Monitoring well drilling oversight	1
Report preparation and oversight	2
General project management	6

Project Engineer (28 hours)

<b>Work Description</b>	<b>Number of Hours</b>
Work plan preparation for Stage 2	4
Budget preparation for Stage 2	3
Technical supervision for field activities	5
Stage 3 Site Investigation Work Plan and Budget, reimbursement request)	8
Miscellaneous* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)	8

**\*Miscellaneous time includes communication with the owner/operator, local municipality, IDOT, subcontractors, and the IEPA which does not necessarily fall within a specific task. HDC has found that many times, especially with this site, that the IEPA requires additional information and justification for the approval of budgets, reimbursements and reports. When the IEPA requests additional information/justification, additional consultant fees are incurred. HDC feels that the costs requested in this budget are reasonable and are consistent approved funds for several other LUST projects.**

## **EXHIBIT "F"**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

**CERTIFIED MAIL**

7002 3150 0000 1253 7084

**MAR 02 2005**

Mrs. Doris Webb  
8687 E. 150 N.  
Lerna, Illinois 62440

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

Dear Mrs. Webb:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the amended Site Investigation Plan Budget(budget) submitted for the above-referenced incident. This budget, dated February 15, 2005, was received by the Illinois EPA on February 16, 2005. 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 budget is modified pursuant to Sections 57.7(a)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 732.503(b). Based on the modifications listed in Section 2 of Attachment A, the amounts listed in Section 1 of Attachment A have been approved. Please note that the costs must be incurred in accordance with the approved plan. Be aware that the amount of reimbursement may be limited by Sections 57.8(d), 57.8(e) and 57.8(g) of the Act, as well as 35 Ill. Adm. Code 732.606(s) and 732.611.

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

Page 2

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

Sincerely,

A handwritten signature in black ink, appearing to read "Harry A. Chappel". The signature is written in a cursive style with a large, sweeping initial "H".

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

HAC: jrm

Attachment: Budget Modification

cc: HDC Engineering  
Division File

The following personnel work hours are being approved based on the work plan provided in the plan received January 24, 2005:

Environmental Professional II (82 Hours approved, 8 hours denied as unreasonable)  
\$5,330.00 approved in budget

*The 4 hours for pre-drill/post drill were deducted as these cost are considered part of sample and soil boring log hours. The 4 hours for miscellaneous task was deducted as these tasks are being approved under Off-site access hours.*

Environmental Professional III (46 Hours approved, 24 hours denied as unreasonable)  
\$3,450.00 approve in budget

*The hours associated with the safety and health plan were deducted as this task was approved under the previous budget. The hours for pre-drill, post drill, well purging and sampling, and miscellaneous were deducted as they were approved under the Environmental Professional II hours.*

Environmental Professional IV (12 Hours approved, 16 hours denied as unreasonable)  
\$924.00

*The hours associated with report preparation & oversight and miscellaneous were deducted as these tasks were approved under the Environmental professional II.*

All hours associated with the project manager were deducted as these hours were approved under the environmental professional II hours. All hours for the project engineer were deducted as these hours were approved under the environmental professional II. The costs for the stage III site investigation work plan and budget was deducted as this report is not required at this time.

**TOTAL AMOUNT APPROVED FOR SITE INVESTIGATION AND CORRECTIVE ACTION ACTIVITES TO DATE:**

\$13,390.90	Investigation Costs
\$5,029.67	Analysis Costs
\$22,520.00	Personnel Costs
\$1,574.00	Equipment Costs
\$1,685.64	Field Purchases and Other Costs
\$306.53	Handling Charges

### 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)(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 11-500  
Chicago, IL 60601  
312/814-3620

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

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

Attachment A

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

Citations in this attachment 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).

**SECTION 1**

As a result of the Illinois EPA's modification(s) in Section 2 of this Attachment A, the following amounts have been approved:

\$0.00	Investigation Costs
\$0.00	Analysis Costs
\$9,704.00	Personnel Costs
\$0.00	Equipment Costs
\$0.00	Field Purchases and Other Costs
\$0.00	Handling Charges

**SECTION 2**

1. \$1,500.00 for surveying. These costs are for activities in excess of those required to meet the minimum requirements of Title XVI of the Act (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.505(c) and 732.606(o)).

The excessive costs submitted for surveying indicates that a professional surveyor is being utilized which is not required by the Agency. The Agency's February 8, 2005 decision remains in effect for this item.

2. \$7,906.00 for an adjustment in personnel costs. The Illinois EPA has determined that these costs are not reasonable as submitted (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.606(hh)). One of the overall goals of the financial review is to assure that costs associated with materials, activities, and services are reasonable (35 Ill. Adm. Code 732.505(c)). Please note that additional information and/or supporting documentation may be provided to demonstrate the costs are reasonable.

Based on the amount of work proposed in the approved site investigation plan, the Agency has reduced the proposed personnel costs by \$7,906.00.

**BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

WEBB & SONS, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 05-183
ILLINOIS ENVIRONMENTAL	)	(LUST Appeal)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE**

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

Jeffrey W. Tock  
Harrington & Tock  
201 West Springfield Avenue  
Suite 601  
Champaign, IL 61824-1550

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

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board an ADMINISTRATIVE RECORD, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent



John J. Kim  
Assistant Counsel  
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)  
Dated: May 25, 2005

**LUST TECHNICAL REVIEW NOTES**

Reviewed by: James R. Malcom, III  
Date Reviewed February 2, 2005

File Heading: LPC #0290255079— Coles County  
Mattoon/ Webb & Sons, Inc  
1201 Dewitt Avenue  
Incident No 931126 & 20021577  
LUST Technical File

**Document(s) Reviewed:**

SIPLN & Budget – January 24, 2005

**General Site Information:**

IEMA date(s): May 3, 1993 & October 30, 2002

Size & Product of Tanks (1) 1,000 Gallon (1) 2,000 Gallon Gasoline (1) 10,000 Gallon Diesel (1) 4,000 Gallon Diesel (1) 5,000 Gallon Kerosene (1) 1,000 Gallon Kerosene (1) 2,000 Gallon Heating Oil

System Removed (Y/N): Yes

Encountered Groundwater (Y/N): No

Free Product (Y/N): No

Current/Past Land Use: Residential

Reimbursement (Y/N/unknown): Yes

OSFM Fac Permit # 4-028243

**Division File Information (Optional):** (Arranged chronologically)

See File

**Review Notes**

The SIPLN received September 14, 2004 was approved. The analytical results from the phase I site investigation indicated soil contamination in MW#1, MW#3, B-1 and B-3. Groundwater contamination was noted in well #3. The Phase II investigation plan proposes 3 additional monitoring wells and 8 soil borings. The wells and soil borings will be used to define the extent of contamination.

**PMs Recommendation/Comments:**

Approve plan, modify budget

**Response Due**

May 24, 2005

jrm

**RELEASABLE**

FEB 04 2005

**REVIEWER MM**



February 15, 2005

201 W. Springfield Ave., Suite 300  
P.O. Box 140  
Champaign, Illinois 61824-0140  
BUS. (217) 352-6976  
FAX (217) 356-0570

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

RE: Site Investigation Plan  
Justification of Personnel Costs  
LPC # 0290255079 - Coles County  
Mattoon / Webb & Sons, Inc.  
1201 DeWitt Avenue  
LUST Incident No.: 931126  
LUST Technical File

RECEIVED  
FEB 16 2005  
IEPA/BOL

Dear Mr. Malcom:

In response to your letter dated February 8, 2005, HDC Engineering (HDC) has prepared a breakdown and justification of the personnel hours that were denied from the Site Investigation Budget dated January 18, 2005. Please refer to Attachment A for justification of surveying costs and Attachment B for a complete breakdown and justification of personnel hours.

HDC would like to point out that the IEPA increases personnel costs every time it requires HDC to submit additional information. The IEPA required HDC to justify every line item of the last Site Investigation budget as well. Furthermore, the IEPA originally denied approval of the first Site Investigation Plan, submitted in September 2003, stating that the number of borings was unreasonable. However, four of the borings included in the approved Stage 2 plan are in similar locations on the Site as proposed in the denied plan, showing that the original plan was reasonable in the first place. Costs for the project would have been reduced had the original plan been approved in September 2003.

HDC has a highly qualified staff of environmental professionals, with many years of experience with underground storage tanks. This recurring requirement by the IEPA for micro-justification of personnel costs is redundant and time consuming, and is viewed as an affront to HDC's professionalism and experience. It also has the unfortunate result of increasing the overall costs and duration of the project. As your office has told HDC, one of the charters of the IEPA is to ensure the LUST fund is well spent. However, you consistently require HDC to duplicate effort in justifying cost when, in fact, the cost and work are already justified and reasonable.

RELEASABLE

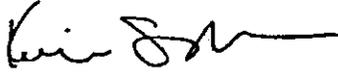
MAR 01 2005

REVIEWER MM

James Malcolm  
February 15, 2005  
Page 2 of 2

If you have any questions I can be reached at 217.352.6976 or [kevins@hdc-eng.com](mailto:kevins@hdc-eng.com).

Respectfully Submitted,  
HDC Engineering



Kevin Saylor, PE  
Environmental Division Manager

cc: Doris Webb  
file

Enclosures

## Attachment A

\$1,500 were deducted from the budget for surveying costs with the reasoning that a professional survey is not required by the Agency. The requirements of Title XVI do not specifically require a professional survey as part of a LUST incident. However, it has been HDC's experience that professional survey's are ultimately necessary to delineate and obtain No Further Remediation status for LUST projects.

During the course of delineation, it is necessary to identify the site's property boundaries. The location of these boundaries is used to identify the extents of the property and to place off site boring locations.

The letter to request off site access to perform delineation and/or remediation on adjacent properties is essentially a contract between the LUST owner/operator and the adjacent property owner. Therefore, a professional boundary survey is crucial in identifying the site's and adjacent parcel's property limits to insure that the necessary access is obtained and that the necessary involved parties are protected by the off site access letter.

The accurate location of property boundaries is necessary for the use of highway authority agreements. These agreements require scaled maps identifying the impacted area and the extents of the agreement.

Environmental land use controls require the legal description of the property subject to the control. The professional boundary survey is used for this purpose.

The Property Owner Summary required for corrective action completion also requires a legal description. Again, the professional survey is used for this purpose.

In general, the reporting requirements of the LUST program require the accurate presentation of the site and adjoining properties, including utilities, roadways, and property boundaries. To fulfill these requirements, a professional survey is conducted. Sources such as county plat and aerial composite maps are not always of sufficient detail to accommodate the requirements to close a LUST incident. In some instances, a foot can mean the difference between a highway authority agreement and an environmental land use control. Additional land use controls requires a significant amount of additional consulting time and additional liability for the owner.

Required technical reports, such as the Site Investigation Completion Report and the Corrective Action Completion Report, require certification by a licensed Professional Engineer or Professional Geologist. The certification includes the following statement:

*To the best of my knowledge and belief, this report, supporting documents and all attachments are true, accurate and complete.*

The only accurate and complete way to identify property boundaries is to utilize a professional surveyor.

Because of these reasons, HDC requests that the Agency approve the \$1,500 for professional surveyor's costs. These costs have been approved on numerous other LUST budgets and billing packages.

RECEIVED

FEB 16 2005

WMA/ROJ

Attachment B

Environmental Professional II (90 hours)

82 APP X

232 Total Hours

$82 \times \frac{\$65}{HR} = 5,330$

**Work Description**

**Number of Hours**

Work plan preparations (Stage 2 Site Investigation Work Plan and Budget)

22

OK

Sample and log soil borings

20 (one EPII for two 10 hour days)

OK

Pre-drill / Post-drill (JULIE locate, package and ship samples, etc.)

~~2~~ INCLUDED ↑

↑

Off-site access (Obtain property and adjacent property tax cards, contacting and coordinating off-site access, including both IDOT and city right of ways)

12 OK

Well development and survey

18 (two EPII's for one 9 hour day)

OK

Well purging and sampling

10 (one EPII for one 10 hour day)

OK

Miscellaneous\* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)

~~1~~ INCLUDED

Environmental Professional III (70 hours)

46 APP X 75/HR = \$3,450

**Work Description**

**Number of Hours**

Prepare Site Safety and Health Plan

~~2~~ ALREADY COMPLETED

Pre-drill / Post-drill (prepare soil log templates, load/unload sampling supplies, jar samples, ship samples, etc.)

~~1~~ INCLUDED

Monitoring Well Installation (Supervise subcontractor, sample and log soil, etc.)

10 OK

Well purging and sampling

~~10~~ (one EPII for one 10 hour day)

INCLUDED ABOVE

Miscellaneous\* (Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)

~~1~~ INCLUDED ABOVE OFF-SITE ACCESS/SAMPLE

Report writing (Stage 2 and Stage 3 Site Investigation Work Plans and Budgets, including soil boring logs, analysis tabulation, and reimbursement)

36 OK

APPVD

$82 HR \times \frac{\$65}{HR} = 5,330$   
 $70 HR \times \frac{\$75}{HR} = 3,450$   
 $12 HR \times \frac{\$97}{HR} = 924$

\$9,704 STAGE

Attachment B (continued)

Environmental Professional IV (28 hours)

12 APP x 77/hr = \$ 924

**Work Description**

**Number of Hours**

Budget preparations

12

Report preparation and oversight

~~8~~ ABOVE

Miscellaneous\*

(Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)

~~8~~ ABOVE

Project Manager (16 hours)

0 APP

**Work Description**

**Number of Hours**

Work plan preparation

~~2~~ ABOVE

Budget preparation and review

~~2~~ ABOVE

Site Safety and Health Plan preparation and review

~~1~~ ABOVE

Pre-drill oversight

~~1~~

Monitoring well drilling oversight

~~1~~

Report preparation and oversight

~~2~~

General project management

~~8~~

ALL ABOVE

Project Engineer (28 hours)

0 APP

**Work Description**

**Number of Hours**

Work plan preparation for Stage 2

~~4~~ ABOVE

Budget preparation for Stage 2

~~3~~ 11

Technical supervision for field activities

~~5~~ 11

Stage 3 Site Investigation Work Plan and Budget, reimbursement request)

~~8~~ NOT NEEDED YET

Miscellaneous\*

(Contact with client, IEPA, local municipality, IDOT, subcontractors, laboratory etc.)

~~8~~ ABOVE

\*Miscellaneous time includes communication with the owner/operator, local municipality, IDOT, subcontractors, and the IEPA which does not necessarily fall within a specific task. HDC has found that many times, especially with this site, that the IEPA requires additional information and justification for the approval of budgets, reimbursements and reports. When the IEPA requests additional information/justification, additional consultant fees are incurred. HDC feels that the costs requested in this budget are reasonable and are consistent approved funds for several other LUST projects.

**LUST TECHNICAL REVIEW NOTES**

Reviewed by: James R. Malcom, III  
Date Reviewed February 25, 2005

File Heading: LPC #0290255079— Coles County  
Mattoon/ Webb & Sons, Inc  
1201 Dewitt Avenue  
Incident No 931126 & 20021577  
LUST Technical File

**Document(s) Reviewed:**

SIPLN & Budget -- February 16, 2005

**General Site Information:**

IEMA date(s): May 3, 1993 & October 30, 2002

Size & Product of Tanks (1) 1,000 Gallon (1) 2,000 Gallon Gasoline (1) 10,000 Gallon Diesel (1) 4,000 Gallon Diesel (1) 5,000 Gallon Kerosene (1) 1,000 Gallon Kerosene (1) 2,000 Gallon Heating Oil

System Removed (Y/N): Yes

Encountered Groundwater (Y/N): No

Free Product (Y/N): No

Current/Past Land Use: Residential

Reimbursement (Y/N/unknown): Yes

OSFM Fac Permit # 4-028243

**RELEASABLE**

MAR 01 2005

**REVIEWER MM**

**Division File Information (Optional):** (Arranged chronologically)

See File

**Review Notes**

The phase II site investigation received January 24, 2005 was approved, the plan proposed the installation of 3 monitoring wells and 17 soil borings to define the extent of contamination. The plan was approved while the budget was approved with the following modifications:

1. \$1,500.00 for surveying. These costs are for activities in excess of those required to meet the minimum requirements of Title XVI of the Act (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.505(c) and 732.606(o)).

The excessive costs submitted for surveying indicates that a professional surveyor is being utilized which is not required by the Agency.

2. \$17,610.00 for costs that lack supporting documentation (35 Ill. Adm. Code 732.606(gg)). A site investigation plan budget must include, but not be limited to, an accounting of all costs associated with the development, implementation, and completion of the site investigation plan (Section 57.7(a)(2) of the Act). Since there is no

supporting documentation of costs, the Illinois EPA cannot determine if the minimum requirements necessary to comply with Title XVI have been exceeded (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 732.505(c) and 732.606(o)).

The Agency is requesting that the proposed personnel costs be further broken down to provide sufficient justification for the proposed personnel cost. The Agency is requesting information regarding the task performed by each person and the amount of time for each task performed. The Agency is requesting justification for the estimated amount of time to complete each task.

For example, the professional engineer is requesting 28 hours for P.E. preparation and certification of reports and project oversight. The Agency is requesting justification as to why it takes 28 hours to perform these tasks? If 28 hours is simply a budgeted guess, why was 28 hours proposed?

**The budget amendment received February 16, 2005 contains the hourly breakdown for the personnel hours previously rejected by the Agency.**

The following personnel and work hours are being approved:

**Environmental Professional II** (82 Hours approved, 8 hours denied as unreasonable)  
\$5,330.00 ok

*The 4 hours for pre-drill/post drill were deducted as these cost are considered part of sample and soil boring log hours. The 4 hours for miscellaneous task was deducted as these tasks are being approved under Off-site access hours.*

**Environmental Professional III** (46 Hours approved, 24 hours denied as unreasonable)  
\$3,450.00 ok

*The hours associated with the safety and health plan were deducted as this task was approved under the previous budget. The hours for pre-drill, post drill, well purging and sampling, and miscellaneous were deducted as they were approved under the Environmental Professional II hours.*

**Environmental Professional IV** (12 Hours approved, 16 hours denied as unreasonable)  
\$924.00 ok

*The hours associated with report preparation & oversight and miscellaneous were deducted as these tasks were approved under the Environmental professional II.*

All hours associated with the project manager were deducted as these hours were approved under the environmental professional II hours. All hours for the project engineer were deducted as these hours were approved under the environmental professional II. The costs for the stage III site investigation work plan and budget was deducted as this report is not required at this time.

The decision on deducting the professional surveyor costs still stands as no other consulting firm uses professional surveyors.

**PMs Recommendation/Comments:**

Approve budget with modifications

**Response Due**

May 24, 2005

jrm

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
CLERK'S OFFICE

MAR 01 2006

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
  
PROPOSED AMENDMENTS TO )  
REGULATION OF PETROLEUM ) R 04-22 (B)  
LEAKING UNDERGROUND STORAGE ) (UST Rulemaking )  
TANKS (35 ILL. ADM. CODE 732) )

---

IN THE MATTER OF: )  
  
PROPOSED AMENDMENTS TO )  
REGULATION OF PETROLEUM ) R 04-23(B)  
LEAKING UNDERGROUND STORAGE ) (UST Rulemaking )  
TANKS (35 ILL. ADM. CODE 734) ) Consolidated

TESTIMONY OF DOUGLAS W. CLAY REGARDING  
THE ILLINOIS POLLUTION CONTROL BOARD'S  
PROPOSED 35 ILL. ADM. CODE 732.845 AND 734.845

My name is Doug Clay. I am the manager of the Leaking Underground Storage Tank ("LUST") Section within the Bureau of Land of the Illinois Environmental Protection Agency ("Agency"). I have been in my current position since September of 1994. This section is primarily responsible for reviewing the technical adequacy of plans, reports and associated budgets for the remediation of releases from underground storage tanks regulated under 35 Ill. Adm. Code, Parts 731, 732 and 734.

Prior to assuming my current position, I was the manager of the Disposal Alternative Unit within the Permit Section of the Bureau of Land. I have also worked in the Permit Section in the Bureau of Water. I have been employed at the Illinois EPA since 1983 following the receipt of a B.S. degree in Civil Engineering from the

University of Illinois. I have been a Registered Professional Engineer in Illinois since 1989.

Today I will be testifying with regard to the Illinois Pollution Control Board's ("Board's") proposed 35 Ill. Adm. Code 732.845 and 734.845 published for public comment in the Board's January 5, 2006, Opinion and Order. My testimony will address issues raised in the Board's January 5, 2006, Opinion and Order as well as the Hearing Officer's February 16, 2006, Order.

In answer to the Board's question about the Agency's LUST database, the database does not contain adequate information to determine lump sum payments for professional consulting services. As we stated in earlier testimony, we do not believe that lump payment amounts for professional consulting services should be determined from future reimbursement submissions over the next few years. Collecting this data, breaking it down in great detail, as has been proposed at previous hearings would require significant resources by the Illinois EPA, which we simply do not have. In addition, accepting the costs as submitted without review (i.e. no quality control) would invite inflated amounts knowing that these will be used to set future acceptable costs. Also, this would require that every consultant that does LUST work in the State of Illinois adopt a complicated, confusing, and overly burdensome reimbursement accounting system for seeking corrective action costs that has been designed and proposed by just a few consulting firms. This type of system would undoubtedly increase the costs for preparation of budgets and reimbursement packages, thus increasing overall corrective costs for each site.

The Agency has reviewed the scope of work proposed by the Board, with a few modifications, believes it to adequately represent the work required to remediate a leaking underground storage tank release in Illinois. We do not believe that the scope of work needs to be part of Board rules, and do not intend to propose Agency rules regarding this issue. Attached as part of my testimony (Attachments 1 and 2) are two spreadsheets that include the scopes of work, the title of the personnel that may perform the work, a reasonable number of hours for the identified personnel to perform the work, and a comment field.

To develop this attachment the Agency convened a workgroup made up of the five LUST Section unit managers, five senior LUST Section project managers, two senior LUST Claims Unit reviewers, and myself. This workgroup has a combined 140 years of experience reviewing and evaluating LUST sites. The information in Attachments 1 and 2 represent the consensus of the workgroup. We grouped some scopes of work together for the purpose of assigning hours and, where appropriate, made comments for additional clarification. Where the hours field next to a scope of work has been left blank the comments field provides an explanation of why. All time is rounded up to a full hour, so the minimum amount of time assigned to a scope of work is 1 hour. The personnel and hours assigned to each scope of work represents what the Agency believes to be a reasonable amount of time for the identified personnel to perform the identified work.

Also attached as part of my testimony (Attachments 3 and 4) is a table summarizing the lump sum amounts for each of the scopes of work from Attachments 1 and 2. The table provides a lump sum range for each scope of work, based on the range of the high and low rates for each personnel title. The high and low rates are taken from

Appendix E that was just adopted by the Board. It should be emphasized that we identified a Project Manager, whose rate ranges from \$90 to \$100 per hour, as performing most work. However, it is not necessary for a Project Manger to perform much of the work. The Agency has observed that in most cases other personnel, such as geologists, scientists, or technicians, perform much of the work. Because these other personnel have lower rates, the work can be performed well within the lump sum amounts.

The Agency believes that the unit rates for professional services (half-day rates for field work and travel rates) continue to be appropriate and should remain in Sections 732.845 and 734.845 in addition to the lump sum amounts. They should continue to be directly linked to productivity numbers (e.g. number of borings per half-day, excavation quantity per half-day, etc.) as in the Board's proposed rules. It is reasonable to expect a certain level of productivity for these activities. As with other costs in Subpart H, payment from the Fund may exceed the lump sums and unit rates if the owner or operator can demonstrate unusual or extraordinary circumstances under Section 732.860 or 734.860.

As we testified during previous hearings, Illinois is not the first state to adopt in regulations lump sums and unit rates for remedial work, including professional services. Many of the lump sums and unit rates proposed in Subdocket B are comparable to lump sums and unit rates adopted in California, Louisiana, Massachusetts, Nevada, Tennessee, and Texas. Regulations from these states were previously submitted to the Board and are already a part of the record.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 732.845(a)(1) Preparation for the abandonment or removal of USTs</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Office of the Illinois State Fire Marshal (OSFM) 1. Prepare and submit initial Notification Form for Underground Storage Tanks 2. Prepare Application for Permit for Removal/Abandonment of Underground Storage Tanks and submit to owner/operator for signature 3. Submit Application for Permit for Removal/Abandonment to OSFM 4. Prepare and submit LUST Fund Eligibility and Deductibility Application 5. Prepare and submit amended Notification Form	Tech	1	2.a.1, 2, 3 & 5 are performed by tank removal contractor and costs are included in tank removal lump sum.
b. Illinois Environmental Protection Agency (IEPA) 1. Prepare and submit early action extension 2. Follow up	PM	1	Not required in all cases.
c. Correspond with and update client			Not corrective action.
3. Waste Disposal a. Determine early action excavation limits	PM	1	
b. Prepare waste profile and arrange for landfill approval	Tech	4	These hours include field work that is not covered under the half-day rates.
c. Prepare waste manifests or tracking forms	PM	1	
4. Plan and Report Preparation a. Prepare site health and safety plan	PM	2	
5. Resource Coordination a. Arrange for subcontractors (e.g., excavator, tank removal contractor, backfill, landfill) b. Schedule project	PM	4	
c. Call J.U.L.I.E. and/or municipality to locate utilities			Task performed by tank removal contractor. Cost included in tank removal lump sum.

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 732.845(a)(3) Preparation and submission of 20-day and 45-day reports</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain and review IEPA and/or OSFM records b. Obtain and review well records from ISGS and ISWS c. Obtain and review local information (e.g. Sanborn maps, aerial overlays)			3.a. and c included in hours for preparation of 45-day Report. 3.b. not required for preparation of 20 or 45-day Reports.
4. Waste Disposal a. Review disposal documentation	PM	1	
5. Technical Evaluation a. Prepare well location map (<25 records within 2500 feet) b. Determine expected local site geology (subsurface soil conditions) c. Site visit for preparation of 20 and 45 Day reports	PM	6	a. not required for preparation of 20 or 45-day Reports. b. included in hours for preparation of 45-day Report. c. includes field work that is not covered under the half-day rates.
6. Plan and Report Preparation a. Prepare 20-day Certification	PM	1	
b. Prepare or revise site health and safety plan			Previously prepared under 732.845(a)(1) task 4.a. No revision necessary for preparation and submission of 20 and 45-day reports.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>c. Prepare 45-day Report</p> <ol style="list-style-type: none"> <li>1. Provide information pertaining to:               <ol style="list-style-type: none"> <li>A. Site Identification</li> <li>B. Release Information</li> <li>C. Early Action</li> <li>D. Site Information                   <ol style="list-style-type: none"> <li>1. Nature and estimated quantity of release</li> <li>2. Data concerning:                       <ol style="list-style-type: none"> <li>a. Surrounding populations</li> <li>b. Water quality</li> <li>c. Use and approximate locations of wells potentially affected by the release</li> <li>d. Subsurface soil conditions</li> <li>e. Location of subsurface sewers</li> <li>f. Climatological conditions</li> <li>g. Land use</li> </ol> </li> <li>3. A discussion of what was done to measure for the presence of a release</li> <li>4. Action taken to prevent further release of the regulated substance into the environment</li> <li>5. A discussion of the action taken to monitor and mitigate fire and safety hazards posed by vapors of free product that has migrated from the UST excavation zone and entered subsurface structures</li> </ol> </li> </ol> </li> </ol>	PM	8	
<p>E. Assting Document</p> <ol style="list-style-type: none"> <li>1. Site map to scale and oriented north showing:               <ol style="list-style-type: none"> <li>a. UST system(s) and excavation limits</li> <li>b. Product and dispenser lines</li> <li>c. Pumps and islands</li> <li>d. Underground utilities (sewer, gas, water, etc.)</li> <li>e. Nearby structures (buildings, roads, etc.)</li> <li>f. Soil boring(s) (if present)</li> <li>g. Monitoring well(s) and/or sumps (if present)</li> <li>h. Property boundaries</li> <li>i. Sample location points</li> </ol> </li> <li>2. Area map showing the site in relation to surrounding properties. This map should identify the facilities on the surrounding properties</li> <li>3. Cross-section, to scale, showing the USTs and the excavation</li> </ol>	CAD Operator	8	
<p>4. Analytical/screening results in tabular format, including the results of soil samples required</p>	PM	2	

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
pursuant to 35 Ill. Adm. Code 732.202(h) or 45 ILCS 5/57-57.17.			
5. UST information in a tabular format, including: a. Total number of UST(s) on site b. Volume of the UST(s) (in gallons) c. The material stored in the UST(s) d. Identification of UST system(s) that had a release e. Identification of UST system(s) that were repaired, removed, or abandoned in-place			UST information table included on Agency forms under 6.c.1.B. above (Release Information)
6. Copy of OSFM Permits or notifications	Administrative Asst	1	6, 8 & 9 combined for total of 1 hour.
7. Narrative of tank removal and cleaning operations; describe how wastes generated during the tank removal were managed, treated, and disposed of	PM	1	
8. Photographs of UST removal activities and the excavation. 9. Copies of waste manifests for soil and groundwater transported off-site			6, 8 & 9 combined for total of 1 hour.
d. Review and certification of 20-Day and 45-Day Reports and application for payment.	LPE or LPG	1	Certification added to IPCB's proposal. PM/Senior staff reference deleted. Added reference to application for payment.
7. Resource Coordination a. Call J.U.L.I.E. and/or municipality to locate utilities			Already done prior to tank removal. Not required for preparation and submission of 20 and 45-day reports.
8. Distribution a. Deliver draft 20-day Certification and 45-Day Report and application for payment to owner/operator for review and signature b. Make copies of 20-Day Certification and 45-Day Report and application for payment for distribution c. Deliver completed 20-Day Certification and 45-Day Report and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Added references to application for payment.
9. Prepare applications for payment	Account Tech	8	This is added to IPCB's proposal.

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 732.845(a)(6) Preparation and submission of free product removal reports</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with and update Illinois Environmental Protection Agency (IEPA) b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Waste Disposal a. Review disposal documentation	PM	1	
4. Free Product Report Preparation a. Prepare Free Product Removal Report 1. Provide information pertaining to: A. Site Identification B. Free Product Information 1. Name(s) of person(s) responsible for implementing the free product removal measures 2. Estimated quantity, type, and thickness of free product observed or measured in boreholes, wells, excavation, etc. 3. The type of free product recovery system used and technical justification for the method of recovery chosen 4. Whether any discharge will take place on- or off-site during the recovery operation and where this discharge (point) will be located 5. Type of treatment applied to (the free product), and the effluent quality expected from any discharge 6. Steps that have been taken or that are being taken to obtain necessary permits for any discharge 7. The disposition of the recovered free product	PM	4	

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>C. Assing Documentation</p> <p>1. Site map to scale and oriented north showing:</p> <ul style="list-style-type: none"> <li>a. UST system(s) and excavation limits</li> <li>b. Product and dispenser lines</li> <li>c. Pumps and islands</li> <li>d. Underground utilities (sewer, gas, water, etc.)</li> <li>e. Nearby structures (buildings, roads, etc.)</li> <li>f. Soil boring(s) (if present)</li> <li>g. Monitoring well(s) and/or sumps (if present)</li> <li>h. Locations where free product was encountered including its estimated thickness</li> <li>i. Location of recovery points</li> <li>j. Location of the treatment unit</li> <li>k. Location of discharge points</li> <li>l. Property boundaries</li> </ul>	CAD Operator	1	Site map already prepared under Early Action. Only modifications required at this point.
<p>2. Table showing the dates that free product recovery was conducted and the amount of free product recovered on each date</p>	PM	1	
<p>3. Copies of waste manifests</p>	Administrative Asst	1	
<p>5. Review and certification of free product removal report.</p>	LPE or LPG	1	Added to IPCB's proposal.
<p>6. Distribution</p> <ul style="list-style-type: none"> <li>a. Deliver draft free product removal report to owner/operator for review and signature</li> <li>b. Make copies of free product removal report for distribution</li> <li>c. Deliver completed report to IEPA and owner/operator</li> </ul>	Administrative Asst	2	Covers all copying and delivering costs.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>Section 732.845(a)(7) Preparation and submission of reports submitted pursuant to Section 732.202(h)(3)</p> <ol style="list-style-type: none"> <li>1. Site characterization/narrative</li> <li>2. Characterization/narrative of water encountered in UST excavation</li> <li>3. Completion of Property Owner Summary Form</li> <li>4. Recording NFR Letter</li> </ol>	<p>PM Admin Asst</p>	<p>2 2</p>	<p>This report submitted as part of 45-Day Report. All other costs related to this report are included in costs for 45 Day Report (e.g., LPG/LPE certification, distribution). Reference in title to "734.210(h)(3)" changed to "732.202(h)(3)"</p>
<p>Section 732.845(b)(1) Preparation and submission of site classification plans, site classification preparation, fieldwork, field oversight, and the preparation and submission of the site classification completion report</p>			
<b>SITE CLASSIFICATION WORK PLAN</b>			
<ol style="list-style-type: none"> <li>1. Project Management</li> </ol>			<p>All Project Management work is identified under Personnel Column as PM.</p>
<ol style="list-style-type: none"> <li>2. Correspondence                             <ol style="list-style-type: none"> <li>a. Correspond with Agency</li> <li>b. Correspond with and update client</li> </ol> </li> </ol>			<p>2.a. already included in other line items and 2.b. is not corrective action.</p>
<ol style="list-style-type: none"> <li>3. Technical Evaluation                             <ol style="list-style-type: none"> <li>a. Conduct fieldwork</li> <li>b. Provide field oversight</li> </ol> </li> </ol>	<p>PM Geologist Tech</p>	<p>10 10 20</p>	<p>These hours include field work that is not covered under the half-day rates. There are no half-day rates for Site Classification field work.</p>

ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
<p>4. Plan Preparation</p> <p>a. Prepare Site Classification Work Plan</p> <p>1. Provide information concerning:</p> <p>A. Site Identification</p> <p>B. Site Information</p> <p>C. Site Classification</p> <p>1. Method of Physical Soil Classification</p> <p>2. Number of soil borings to be advanced on-site</p> <p>3. Whether soil borings are proposed to be advanced for reasons other than Physical Soil Classification or investigation of migration pathways</p> <p>4. Whether monitoring wells are proposed on-site</p> <p>5. Physical Soil Classification</p> <p>a. Scientific publications/geologic maps that will be reviewed to determine consistency with Plate 1 of the Illinois State Geological Survey Circular 532</p> <p>b. Drilling methods, auger types, sampling procedures and sampling devices that will be used</p> <p>c. Basis for determining the location (include number and spacing) of soil borings</p> <p>d. How the proposed final soil boring configuration and boring depths will provide the greatest likelihood of determining the geologic characteristics of the site</p> <p>e. What will be done if auger refusal occurs or bedrock is encountered during drilling</p> <p>f. What will be done if anomalies are encountered during drilling</p> <p>g. What will be done to prevent cross-contamination between water-bearing units that may be encountered during drilling</p> <p>6. Groundwater Investigation</p> <p>a. Drilling methods that will be used</p> <p>b. Basis for determining the location and number of monitoring wells placed at the site</p> <p>c. Monitoring well installation procedures</p> <p>d. Activities that will be taken to prevent cross-contamination during well installation</p> <p>e. Basis for determining well construction material</p> <p>f. Basis for determining the monitoring well-screen depth and screened interval</p> <p>g. Monitoring well development procedures</p> <p>h. Monitoring well sampling procedures</p> <p>i. Activities that will be taken to prevent cross-contamination between groundwater samples</p> <p>j. How the proposed final monitoring well configuration will provide the greatest likelihood of detecting the migrations of groundwater contamination</p>	<p>PM</p>	<p>8</p>	<p>Under 4.a.1.c.7 and 8, reference to LPG added. Under 4.a.1.c.7, reference to "Class II" groundwater changed to "Class III". Added 4.a.1.c.9 and 10.</p>

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>k. Steps that will be taken to determine groundwater elevation and flow direction.</p> <p>7. How the LPE/LPG will verify whether Class III Special Resource Groundwater exists within 200 feet of the UST system</p> <p>8. How the LPE/LPG will identify and locate all community water supply wells within 2,500 feet of the UST system and all potable water supply wells within 200 feet of the UST system, and determine if the UST system is within the regulated recharge area of any community water supply well or potable water supply well</p> <p>9. How the LPE/LPG will locate all surface water bodies within 100 feet of the UST system and determine whether they have been adversely affected by the a sheen or free product</p> <p>10. How the LPE/LPG will determine whether there is evidence of petroleum or vapor migration that threatens human health or safety or that may cause explosions in confined spaces</p>			

ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
<p>9. Classification by Exposure Pathway Exclusion</p> <ul style="list-style-type: none"> <li>a. Discussion of the activities to determine the full extent and concentrations of contaminants in soil and/or groundwater exceeding the Tier 1 remediation objectives</li> <li>b. Discussion of the tests to be performed to determine whether or not the following requirements will be met:                             <ul style="list-style-type: none"> <li>1. Attenuation capacity of the soil will not be exceeded for any of the organic contaminants</li> <li>2. Soil saturation limit will not be exceeded for any of the organic contaminants</li> <li>3. Contaminated soils do not exhibit any of the reactivity characteristics of hazardous waste per 35 Ill. Adm. Code 721.123</li> <li>4. Contaminated soils do not exhibit a pH <math>2.0 \leq</math> or <math>\geq 12.5</math></li> <li>5. Contaminated soils which contain arsenic, barium, cadmium, chromium, lead, mercury, selenium or silver (or their associated salts) do not exhibit any of the toxicity characteristics of hazardous waste per 35 Ill. Adm. Code 721.124</li> </ul> </li> <li>c. Discussion of how the inhalation exposure route will be evaluated to determine that:                             <ul style="list-style-type: none"> <li>1. An institutional control is in place that requires safety precautions for construction worker populations and compliance with #2 below</li> <li>2. Any contaminant of concern within ten (10) feet of land surface or within ten (10) feet of any man-made pathway does not exceed Tier 1 remediation objectives; OR an Agency approved engineered barrier is in place</li> </ul> </li> <li>d. Discussion of how the soil ingestion exposure route will be evaluated to determine that:                             <ul style="list-style-type: none"> <li>1. An institutional control is in place that requires safety precautions for construction worker populations and compliance with #2 below</li> <li>2. Any contaminant of concern within ten (10) feet of land surface or within three (3) feet of any land surface does not exceed Tier 1 remediation objectives; OR an Agency approved engineered barrier is in place</li> </ul> </li> <li>e. Discussion of how the groundwater ingestion exposure route will be evaluated to determine the following:                             <ul style="list-style-type: none"> <li>1. The source of the release is not located within the minimum/maximum setback zone or regulated recharge area of a potable water supply well</li> <li>2. Any area within 2,500 feet from the source of the release is restricted under a local ordinance which prohibits the use of groundwater as a potable supply</li> <li>3. The concentration of any contaminant of concern in groundwater within the minimum/maximum setback zone of a potable water supply well meets the applicable Tier 1 remediation objective</li> <li>4. The concentration of any contaminant of concern in groundwater discharging into a surface water will meet the applicable surface water quality standard per 35 Ill. Adm. Code 302</li> </ul> </li> </ul>			<p>Classification by exposure pathway is no longer an option under Part 732 per the amendments just adopted by the Board.</p>

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
10. Site map to scale and oriented north showing: a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the proposed soil boring(s) g. Location of the proposed monitoring wells (if required) h. Property boundaries i. 200-foot radius from the UST system	CAD Operator	2	Site map already prepared under Early Action. Only modifications required at this point.
11. Chart indicating the following: a. Boring identification b. Depth of boring (in feet) c. Number of samples from each boring that will be submitted for geotechnical analysis d. Identification of geotechnical tests that will be performed on samples	PM	1	
b. Prepare budget for site classification work plan	Account Tech	4	
c. Review and certification of site classification work plan and budget.	LPE or LPG	2	PM/Senior staff reference deleted.
5. Distribution a. Deliver draft site classification work plan and budget to owner/operator for review and signature b. Make copies of site classification work plan and budget for distribution c. Deliver site classification work plan and budget to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Changed c to reference "site classification work plan and budget" instead of "completed report".
<b>SITE CLASSIFICATION COMPLETION REPORT</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>3. Technical Evaluation</p> <ul style="list-style-type: none"> <li>a. Conduct fieldwork</li> <li>b. Provide field oversight</li> </ul>			<p>Not required as part of preparing and submitting Site Classification Completion Report.</p>
<p>4. Report Preparation</p> <ul style="list-style-type: none"> <li>a. Prepare Site Classification Completion Report               <ul style="list-style-type: none"> <li>1. Provide information concerning:                   <ul style="list-style-type: none"> <li>A. Site Identification</li> <li>B. Site Information</li> <li>C. Site Classification Summary</li> <li>D. Site Classification by Methods One or Two</li> <li>E. Site Evaluation                       <ul style="list-style-type: none"> <li>1. Physical Soil Classification                           <ul style="list-style-type: none"> <li>a. Soil borings                               <ul style="list-style-type: none"> <li>1. A list of publications reviewed and preliminary conclusions concerning the site geology</li> <li>2. Soil borings logs</li> <li>3. Site map to scale and oriented north showing:                                   <ul style="list-style-type: none"> <li>i. Soil boring locations</li> <li>ii. UST system(s)</li> <li>iii. 200-foot radius from UST system</li> <li>iv. Property boundaries</li> </ul> </li> <li>b. Method One soil properties test results (include calculations, methodologies, and complete laboratory reports)                                   <ul style="list-style-type: none"> <li>1. Soil particle analysis</li> <li>2. Soil moisture content</li> <li>3. Soil classification</li> <li>4. Unconfined compression test</li> <li>5. In-situ hydraulic conductivity</li> <li>6. Ex-situ hydraulic conductivity</li> </ul> </li> <li>c. Method Two soil properties test results (include calculations, methodologies, and complete laboratory reports)                                   <ul style="list-style-type: none"> <li>1. Soil particle analysis</li> <li>2. Ex-situ hydraulic conductivity; and calculated yield of geological material</li> <li>3. In-situ hydraulic conductivity and yield of geologic material</li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul>	<p>PM CAD Operator</p>	<p>8 4</p>	<p>Site map already prepared under Early Action. Only modifications required at this point.</p>

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>2. Groundwater Investigation</p> <p>a. If groundwater investigation was required, provide the following:</p> <ol style="list-style-type: none"> <li>1. Discussion of how the monitoring well configuration provides the greatest likelihood of detecting migration of groundwater contamination</li> <li>2. Monitoring well construction diagrams</li> <li>3. Table showing static water elevations</li> <li>4. Sample collection shipment and preservation information</li> <li>5. Completed chain-of-custody form(s)</li> <li>6. Copies of laboratory reports (include field and lab blanks)</li> <li>7. Analytical results in tabular format</li> <li>8. Site map to scale and oriented north showing:               <ol style="list-style-type: none"> <li>i. Monitoring well locations</li> <li>ii. Potentiometric surface map</li> <li>iii. Groundwater flow direction</li> <li>iv. 200-foot radius from UST system and</li> <li>v. Property boundaries</li> </ol> </li> </ol> <p>b. If no groundwater investigation was performed, provide the following:</p> <ol style="list-style-type: none"> <li>1. Demonstrate whether groundwater is present within the depth of boring used to perform physical soil classification under the selected method (Method One under subsection (c) or Method Two under subsection (d))</li> <li>2. Demonstrate whether groundwater is withdrawn for potable use within 1000 feet of the UST system and at what depths</li> <li>3. Demonstration whether seasonal fluctuation in groundwater could result in groundwater contacting contaminated soil (e.g., historical records)</li> </ol>	PM CAD Operator	4 2	Site map already prepared under Early Action. Only modifications required at this point.
<p>F. Water Well Survey</p> <ol style="list-style-type: none"> <li>1. Results of the survey conducted to identify all community water supply wells within 2,500 feet of the UST system and all potable water supply wells within 200 feet of the UST system (include copies of well logs and all correspondence to and from the Illinois State Water Survey and the Illinois State Geological Survey).</li> <li>2. Local units of government contacted to determine if there is a local ordinance or policy regulating the usage of potable water supply wells</li> <li>3. Site map to scale showing all of the community water supply wells within 2,500 feet of the UST system and all potable water supply wells within 200 feet of the UST system (radii of 200, 400, 1,000 and 2,500 feet from the UST system should be marked on the map)</li> <li>4. Table indicating the setback zone for each community or potable water supply well and the distance from the UST system to the well (the location of each well must be identified on the</li> </ol>	PM	4	Site map already prepared under Early Action. Only modifications required at this point.

ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
map by numbers corresponding to information provided in the table) 5. The sources consulted in determining whether the UST system is within the regulated recharge area of any community or potable water supply well			
G. Migration Pathways 1. Discussion of the investigation conducted to identify all potential natural and man-made migration pathway that are on the site, rights-of-way attached to the site, or in any area surrounding the site that may be adversely affected as a result of a release of petroleum from the UST system 2. Discussion of further investigations conducted to determine if there is evidence that migration of petroleum or vapors along such pathways threatens human health or the environment or may cause explosions in basements, crawl spaces, utility conduits, storm or sanitary sewers, Vaults or other confined spaces 3. Discussion of the findings based on the investigations performed. 4. Site map to scale and oriented north showing: a. The UST system(s) and excavation b. Product and dispenser lines c. Potential natural and man-made pathways on-site, in rights-of-way attached to the site or in areas that may be adversely affected by the release d. Soil boring locations e. Property boundaries	PM CAD Operator	3 1	Site map already prepared under Early Action. Only modifications required at this point.
H. Class III Special Resource Groundwater 1. Discussion of the steps taken to determine if Class III groundwater exists within 200 feet of the site 2. Site map to scale and oriented north showing: a. Location of Class II groundwater b. Radius of 200 feet from the UST system(s) I. Surface Bodies of Water 1. Discussion of the steps taken to locate all surface bodies of water on site and within 100 feet of the site, and one located, the steps taken to determine if they have been adversely affected by the presence of a sheen or free product layer resulting from a release of petroleum from the UST system 2. Site map to scale and oriented north showing the locations of the surface bodies of water on site and within 100 feet of the site	PM	2	Site map already prepared under Early Action. Only modifications required at this point.

ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
<p>J. Classification by Exposure Pathway Exclusion</p> <ol style="list-style-type: none"> <li>1. Extent of contamination exceeding Tier 1 remediation objectives                             <ol style="list-style-type: none"> <li>a. Table showing the analytical results and depth of samples</li> <li>b. Site map showing the soil sample location points and groundwater monitoring well locations</li> <li>c. Site map showing the extent of soil and/or groundwater contamination exceeding Tier 1 remediation objectives</li> <li>d. Cross-section of the site showing the areas of soil contamination exceeding Tier 1 remediation objectives</li> </ol> </li> <li>2. Physical soil characteristics                             <ol style="list-style-type: none"> <li>a. Whether or not the concentration of any organic contaminants exceeded the attenuation capacity of the soil</li> <li>b. Whether or not the organic contaminants exceeded the soil saturation limit</li> <li>c. Whether or not the soils exhibited any characteristics of reactivity for hazardous waste</li> <li>d. pH of the soils</li> <li>e. Whether or not contaminated soils exhibited any characteristics of toxicity for hazardous waste</li> </ol> </li> <li>3. Inhalation exposure route Demonstrate the following:                             <ol style="list-style-type: none"> <li>a. An Agency-approved engineered barrier is in place</li> <li>b. Safety precautions for construction workers will be taken if Tier 1 remediation objectives for construction workers are exceeded.</li> </ol> </li> <li>4. Ingestion exposure route Demonstrate the following:                             <ol style="list-style-type: none"> <li>a. An Agency-approved engineered barrier is in place</li> <li>b. Safety precautions for construction workers will be taken if Tier 1 remediation objectives for construction workers are exceeded.</li> </ol> </li> <li>5. Groundwater ingestion exposure route Demonstrate the following:                             <ol style="list-style-type: none"> <li>a. Source of the release is not located within the minimum or maximum setback zone or regulated recharge area of a potable water supply well</li> <li>b. Any area within 2,500 feet from the source of the release is restricted under a local ordinance which prohibits the use of groundwater as a potable supply</li> <li>c. The concentration of any contaminant of concern in groundwater within the minimum or maximum setback zone of a potable water supply well will meet the applicable Tier 1</li> </ol> </li> </ol>			<p>Classification by exposure pathway is no longer an option under Part 732 per the amendments just adopted by the Board.</p>

ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
remediation objective d. Concentration of any contaminant of concern in groundwater discharging into a surface water will meet the applicable surface water quality standard per 35 III. Adm. Code 302			
K. Assting Documentation 1. Site map to scale oriented north showing: a. UST system(s) (former and existing) b. Excavation limits (former and existing) c. Product and dispenser lines d. Pumps and islands e. Underground utilities (sewer, gas, water, etc) f. Nearby structures (buildings, roads, etc) g. Location of the soil boring(s) h. Location of the monitoring wells i. Property boundaries j. 200-foot radius from the UST system(s) 2. Horizontal cross section showing the various geologic units and the depth to groundwater 3. Laboratory certification(s)	CAD Operator	4	Site map already prepared under Early Action. Only modifications required at this point and drawing of geologic cross section.
b. Review and certification of site classification completion report and application for payment.	LPE or LPG	2	This is provided by laboratory along with laboratory results. PM/Senior staff reference deleted. Reference to application for payment added.
5. Distribution a. Deliver draft site classification completion report and application for payment to owner/operator for review and signature b. Make copies of site classification completion report and application for payment for distribution c. Deliver completed report and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Reference to application for payment added.
6. Prepare applications for payment	Account Tech	8	This is added to the IPCB's proposal.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work

Personnel

Hours

Comments

Section 732.845 (c)(1) Preparation and submission of low priority groundwater monitoring plan			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Waste Disposal a. Determine treatment type to be applied to any discharge and effluent quality expected b. Obtain necessary permits for discharge c. Determine final disposition of recovered free product			Not required for preparation and submission of low priority groundwater monitoring plan. 3.c not applicable at low priority sites.
4. Technical Evaluation			Included in 5 below.
5. Plan Preparation a. Prepare groundwater monitoring plan 1. Provide information concerning: A. Site Identification B. Site Information C. Site Documentation 1. Proposed time table for well installation, all sampling events and report submittal 2. Discussion of a. Monitoring well development procedures b. Monitoring well sampling procedures c. Activities that will be taken to prevent cross-contamination between groundwater samples 3. Site map to scale and oriented north showing: a. UST system(s) and excavation b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc.) e. Nearby structures (buildings, roads, etc.) f. Location of the soil borings	PM	8	Site map already prepared under Early Action. Direction of groundwater flow on Site map added to IPCB's proposal.

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
g. Location of the existing monitoring wells h. Property boundaries i. Radius of 200 feet from the excavation j. Direction of groundwater flow 4. Discussion of the adequacy of the final monitoring well configuration to detect the migration of groundwater contamination			
b. Prepare budget for groundwater monitoring plan	Account Tech	4	
c. Review and certification of groundwater monitoring plan and budget	LPE or LPG	2	PM/Senior staff reference deleted.
6. Distribution a. Deliver draft groundwater monitoring plan and budget to owner/operator for review and signature b. Make copies of groundwater monitoring plan and budget for distribution c. Deliver completed plan and budget to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Section 732.845 (c)(3) and (c)(4) Preparation and submission of first and second year groundwater monitoring reports			Hours listed are for each year's groundwater monitoring report.
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Technical Evaluation			Included in 4 below.
4. Report Preparation a. Prepare groundwater monitoring report 1. Provide information concerning: A. Site Identification B. Site Information C. Assting Documentation 1. Description of the implementation and completion of all elements of the groundwater monitoring plan 2. Description of the well development procedures, sample collection, preservation, and analysis 3. Analytical results in tabular format 4. Copies of laboratory results 5. Laboratory certification 6. Groundwater elevations in a tabular format 7. Monitoring well logs 8. Completed chain-of-custody form(s) 9. Owner/Operator Summary form 10. Site map to scale and oriented north showing: a. UST system(s) and excavation b. Underground utilities (sewer, gas, water, etc.) c. Product and dispenser lines d. Pumps and islands e. Nearby structures (buildings, roads, etc.)	PM CAD Operator	8 2	Site map already prepared under Early Action. Only modifications required at this point. 4.a.1.C.10.c and d added to IPCB's proposal.

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
f. Location of groundwater monitoring wells g. Direction of groundwater flow h. Property boundaries i. Radius of 200 feet from the UST system			
b. Review and certification of groundwater monitoring report and application for payment.	LPE or LPG	2	PM/Senior staff reference deleted. Application for payment added.
5. Distribution a. Deliver draft groundwater monitoring report and application for payment to owner/operator for review and signature b. Make copies of groundwater monitoring report and application for payment for distribution c. Deliver completed report and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Application for payment added.
6. Prepare application for payment	Account Tech	4	This is added to IPCB's proposal.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work

	Personnel	Hours	Comments
<b>Section 732.845(c)(5) Preparation and submission of low priority groundwater monitoring completion report</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Technical Evaluation			Included in 4 below.
4. Report Preparation a. Prepare groundwater monitoring completion report 1. Provide information concerning: A. Site Identification B. Site Information C. Assting Documentation 1. Description of the implementation and completion of all elements of the groundwater monitoring plan 2. Description of the well development procedures, sample collection, preservation, and analysis 3. Analytical results in tabular format 4. Copies of laboratory results 5. Laboratory certification 6. Groundwater elevations in a tabular format 7. Monitoring well logs 8. Completed chain-of-custody form(s) 9. Owner/Operator Summary form 10. Site map to scale and oriented north showing: a. UST system(s) and excavation b. Underground utilities (sewer, gas, water, etc.) c. Product and dispenser lines d. Pumps and islands e. Nearby structures (buildings, roads, etc.) f. Location of groundwater monitoring wells	PM CAD Operator	8 2	Site map already prepared under Early Action. Only modifications required at this point. 4.a.1.C.10.c and d added to IPCB's proposal.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
g. Direction of groundwater flow h. Property boundaries i. Radius of 200 feet from the UST system			
b. Review and certification of groundwater monitoring completion report and application for payment.	LPE or LPG	2	PM/Senior staff reference deleted. Application for payment added.
5. Distribution a. Deliver draft groundwater monitoring completion report and application for payment to owner/operator for review and signature b. Make copies of groundwater monitoring completion report and application for payment for distribution c. Deliver completed report and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Application for payment added.
6. Prepare applications for payment	Account Tech	4	This is added to IPCB's proposal.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p><b>Section 732.845(d)(1)(A) Preparation and submission of investigation plans for on-site contamination for sites classified pursuant to Section 732.307</b></p>			<p>Scope of work same as for Stage 2 site investigations under Part 734. All scope of work for this Section 732.845(d)(1)(A) added to IPCB's proposal.</p>
<p><b>1. Technical Evaluation</b>                      a. Address the same items that are required for Part 734 sites under 35 IAC 734.320(b)                      b. Prepare or finalize field notes                      c. Prepare and describe site investigation photos</p>	<p>PM CAD Operator</p>	<p>16 8</p>	<p>These hours cover technical work performed (vs. report preparation hours which are included under 2 below).</p>
<p><b>d. Prepare contingency scope of work for boring/monitoring well locations</b></p>			<p>Included under 2 below.</p>
<p><b>2. Plan Preparation</b>                      a. Prepare investigation plan for on-site contamination                      1. Provide information concerning:                          A. Site Identification                          B. Site Information                              1. Will owner/operator seek reimbursement from the UST Fund?                              2. If yes, is budget attached?                              3. Is this an amended plan?                              4. Identify the material released                              5. Describe the activities that will be performed to determine the following:                                  a. Degree of soil contamination                                  b. Extent of soil contamination (as defined to Tier 1 Residential remediation objectives)                                  c. The degree of groundwater contamination                                  d. Extent of groundwater contamination (as defined to Class 1 Remediation Objectives unless otherwise approved by the Illinois EPA)                                  e. Direction of groundwater flow                                  f. Hydraulic conductivity of groundwater                                  g. Identification of Site features that may affect contaminant transport and risk to human health and the environment.                              h. The following parameters, if determined during on-site investigation:                                  Hydraulic conductivity                                  Soil bulk density                                  Soil particle density</p>	<p>PM</p>	<p>8</p>	

ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
Moisture content Organic carbon content C. Site Investigation Summary Form			
6. Site map to scale and oriented north showing: a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the proposed/existing soil borings g. Location of the proposed/existing monitoring wells h. Property boundaries			Maps included under I. a. above. Site map already prepared under Early Action. Only modifications required at this point.
b. Prepare budget	Account Tech	4	
c. Review and certification of on-site investigation plan and budget	LPE/LPG	2	
3. Resource Coordination a. Arrange for drilling b. Call J.U.L.I.E. and/or municipality to locate utilities	PM	2	
4. Distribution a. Deliver draft plan and budget to owner/operator for review and signature b. Make copies of plan and budget for distribution c. Deliver completed plan and budget to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Section 732.845(d)(1)(B) Preparation and investigation plans for off-site contamination for sites classified pursuant to Section 732.307			Scope of work same as for Stage 3 site investigations under Part 734. All scope of work for this Section 732.845(d)(1)(B) added to IPCB's proposal.
<b>1. Technical Evaluation</b> a. Address the same items that are required for Part 734 sites under 35 IAC 734.325(b) b. Prepare or finalize field notes c. Prepare and describe site investigation photos d. Prepare contingency scope of work for boring/monitoring well locations.	PM CAD Operator	16 8	These hours cover technical work performed (vs. report preparation hours which are included under 2 below). Included under 2 below.
<b>2. Plan Preparation</b> a. Prepare investigation plan for off-site contamination 1. Provide information concerning: A. Site Identification B. Site Information 1. Will owner/operator seek reimbursement from the UST Fund? 2. If yes, is budget attached? 3. Is this an amended plan? 4. Identify the material released 5. Describe the activities that will be performed to determine the following: a. Degree of soil contamination b. Extent of soil contamination (as defined to Tier 1 Residential remediation objectives) c. The degree of groundwater contamination d. Extent of groundwater contamination (as defined to Class 1 Remediation Objectives unless otherwise approved by the Illinois EPA) e. Direction of groundwater flow f. Hydraulic conductivity of groundwater g. Identification of Site features that may affect contaminant transport and risk to human health and the environment. h. The following parameters, if determined during off-site investigation: Hydraulic conductivity Soil bulk density Soil particle density	PM	8	

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
Moisture content Organic carbon content C. Site Investigation Summary Form			
6. Site map to scale and oriented north showing: a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the proposed/existing soil borings g. Location of the proposed/existing monitoring wells h. Property boundaries			Maps included under 2.a. above. Site map already prepared under Early Action. Only modifications required at this point.
b. Prepare budget	Account Tech	4	
c. Review and certification of off-site investigation plan and budget	LPE/LPG	2	
3. Resource Coordination a. Arrange for drilling b. Call J.U.L.I.E. and/or municipality to locate utilities	PM	2	
4. Distribution a. Deliver draft plan and budget to owner/operator for review and signature b. Make copies of plan and budget for distribution c. Deliver completed plan and budget to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.
5. Off-site access Correspondence and meetings with off-site property owners	PM	4	4 hours total for each off-site property
<b>Section 732.845(d)(3) Well surveys conducted pursuant to Sections 732.404(e)(1) and 734.445(b)</b>	PM	4	Not required for all sites.

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

**Scope of Work**

	Personnel	Hours	Comments
<b>Section 732.845(d)(4) Preparation and submission of corrective action plan (Conventional Tech)</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Waste Disposal a. Prepare waste profile (arrange for landfill approval)	Tech	4	These hours include field work that is not covered under the half-day rates.
b. Determine limits of excavation c. Estimate quantity of contaminated soil to be disposed of d. Mail waste profile to owner/operator for review and signature e. Prepare waste manifests or tracking forms	PM	4	
4. Technical Evaluation a. Estimate quantity of "clean" overburden to be stockpiled (if any).			Included in 3.b above
b. Prepare or finalize field notes c. Prepare and describe remediation photos			This work part of preparation and submission of Corrective Action Completion Report. (see items 4.b and c. under scope of work for Section 732.845(d)(8)).
5. Plan Preparation a. Prepare or review site health and safety plan			Previously prepared under 732.845(a)(1), item 4a.
b. Prepare Corrective Action Plan 1. Provide information concerning: A. Site Identification B. Site Information C. Proposed Methods of Remediation D. Soil and Groundwater Investigation Results 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.	PM CAD Operator	2 2	Site map already prepared under Early Action. Only modifications required at this point.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
3. Laboratory results 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. Plumes of soil and groundwater contamination			
<b>E. Technical Information - Corrective Action Plan</b> 1. Discussion of how the corrective action plan shall remediate the release 2. List of sampling parameters and corresponding remediation objectives 3. Basis for determining sampling parameters and remediation objectives 4. Media sampling plan to verify completion of remediation 5. Current and future use of the property 6. Proposed preventive, engineering and institutional controls 7. Schedule for implementation and projected completion of the plan 8. Engineering design specifications, diagrams, calculations, manufacturer's specifications, systems analyses, site maps, etc.	PM	16	
c. Prepare budget for corrective action plan	Account Tech	8	
d. Review and certification of corrective action plan and budget	LPE or LPG	4	PM/Senior staff reference deleted.
<b>6. Resource Coordination</b> a. Schedule project b. Arrange for subcontractors c. Call J.U.L.I.E. and/or municipality to locate utilities	PM	16	Reference to individual subcontracted activities changed to "subcontractors."
<b>7. Distribution</b> a. Deliver draft corrective action plan and budget to owner/operator for review and signature b. Make copies of corrective action plan and budget for distribution c. Deliver completed corrective action plan and budget to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.
<b>Section 732.845(d)(6)(B) Development of Tier 2 or Tier 3 remediation objectives</b>	PM	8	

**ATTACHMENT I SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Section 732.845(d)(7) Environmental Land Use Controls and Highway Authority Agreements	PM	8	8 hours total for each ELUC & HAA. Standardized documents being proposed in separate TACO rulemaking.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Section 732.845(d)(8) Preparation and submission of corrective action completion report			These tasks apply to Corrective Action Completion Reports for both conventional and alternative technologies. IPCB's proposal referenced only conventional technologies.
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain legal description of property b. Obtain property tax identification number			Included in hours for preparation of Corrective Action Completion Report.
4. Technical Evaluation a. Address items in 35 IAC 734.345(a)? b. Prepare and describe photos c. Prepare or finalize field notes			Included in 5 below.

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>5. Report Preparation</p> <p>a. Prepare Corrective Action Completion Report following items in 35 IAC 734.345(a)</p> <p>1. Provide information concerning:</p> <p>a. Site Identification</p> <p>b. Site Information</p> <p>c. Completion Information</p> <p>1. Chronological narrative of corrective action activities</p> <p>2. Explanation of how the corrective action activities remediated the release</p> <p>3. Discussion of how the remediation objectives were determined</p> <p>4. Media sampling and analytical procedures to verify completion of remediation</p> <p>5. Analytical results and remediation objectives in tabular format</p> <p>6. Laboratory results</p> <p>7. Soil boring logs</p> <p>8. Monitoring well logs</p> <p>9. Laboratory certification</p> <p>10. Applicable Professional Engineer Certification</p> <p>11. Site maps to scale and oriented north showing:</p> <p>a. Final soil sample locations demonstrating completion of remediation</p> <p>b. Groundwater monitoring well locations</p> <p>c. Groundwater recovery/discharge points</p> <p>d. Plume of contamination as defined by laboratory analyses and</p> <p>e. Area remediated</p> <p>12. Property Owner Summary</p> <p>13. Photographs documenting corrective action activities</p>	<p>PM CAD Operator</p>	<p>32 8</p>	<p>Professional engineer certification included under 5.b. below. Site map already prepared under Early Action. Only modifications required at this point.</p>
<p>b. Review and certification of corrective action completion report and application for payment.</p>	<p>LPE</p>	<p>4</p>	<p>PM/Senior staff reference deleted. Reference to applications for payment added.</p>
<p>6. Resource Coordination</p> <p>a. Record NFR letter</p>	<p>Administrative Asst</p>	<p>2</p>	
<p>7. Distribution</p> <p>a. Deliver draft corrective action completion report and application for payment to owner/operator for review and signature</p> <p>b. Make copies of corrective action completion report and application for payment for distribution</p>	<p>Administrative Asst</p>	<p>3</p>	<p>Covers all copying, delivering costs and recording of NFR letter. References to applications for payment added.</p>

**ATTACHMENT 1 SCOPES OF WORK FOR PART 732 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
c. Deliver completed corrective action completion report and application for payment to IEPA and owner/operator d. Make copies of recorded NFR letter for distribution e. Deliver recorded NFR letter to IEPA and owner/operator			
8. Prepare applications for payment	Account Tech	8	This is added to IPCB's original proposal.
[REDACTED]			
732.845(f) Amendment of plan due to unforeseen circumstances and its associated budget	PM Account Tech	6 2	

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 734.845(a)(1) Preparation for the abandonment or removal of USTs</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Office of the Illinois State Fire Marshal (OSFM) 1. Prepare and submit initial Notification Form for Underground Storage Tanks 2. Prepare Application for Permit for Removal/Abandonment of Underground Storage Tanks and submit to owner/operator for signature 3. Submit Application for Permit for Removal/Abandonment to OSFM 4. Prepare and submit LUST Fund Eligibility and Deductibility Application 5. Prepare and submit amended Notification Form	Tech	1	2.a.1, 2, 3 & 5 are performed by tank removal contractor and included in tank removal lump sum.
b. Illinois Environmental Protection Agency (IEPA) 1. Prepare and submit early action extension 2. Follow up	PM	1	Not required in all cases.
c. Correspond with and update client			Not corrective action.
3. Waste Disposal a. Determine early action excavation limits	PM	1	
b. Prepare waste profile and arrange for landfill approval	Tech	4	These hours include field work that is not covered under the half-day rates.
c. Prepare waste manifests or tracking forms	PM	1	
4. Plan and Report Preparation a. Prepare site health and safety plan	PM	2	
5. Resource Coordination a. Arrange for subcontractors (e.g., excavator, tank removal contractor, backfill, landfill) b. Schedule project	PM	4	
c. Call J.U.L.I.E. and/or municipality to locate utilities			Task performed by tank removal contractor. Cost included in tank removal lump sum.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 734.845(a)(3) Preparation and submission of 20-day and 45-day reports</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain and review IEPA and/or OSFM records b. Obtain and review well records from ISGS and ISWS c. Obtain and review local information (e.g. Sanborn maps, aerial overlays)			3.a. and c included in hours for preparation of 45-day Report. 3.b. not required for preparation of 20 or 45-day Reports.
4. Waste Disposal a. Review disposal documentation	PM	1	
5. Technical Evaluation a. Prepare well location map (<25 records within 2500 feet) b. Determine expected local site geology (subsurface soil conditions) c. Site visit for preparation of 20 and 45 Day reports	PM	6	a. not required for preparation of 20 or 45-day Reports. b. included in hours for preparation of 45-day Report. c. includes field work that is not covered under the half-day rates.
6. Plan and Report Preparation a. Prepare 20-day Certification	PM	1	
b. Prepare or revise site health and safety plan			Previously prepared under 734.845(a)(1) task 4a. No revision necessary for preparation and submission of 20 and 45-day reports.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<p>c. Prepare 45-day Report</p> <ol style="list-style-type: none"> <li>1. Provide information pertaining to:               <ol style="list-style-type: none"> <li>A. Site Identification</li> <li>B. Release Information</li> <li>C. Early Action</li> <li>D. Site Information                   <ol style="list-style-type: none"> <li>1. Nature and estimated quantity of release</li> <li>2. Data concerning:                       <ol style="list-style-type: none"> <li>a. Surrounding populations</li> <li>b. Water quality</li> <li>c. Use and approximate locations of wells potentially affected by the release</li> <li>d. Subsurface soil conditions</li> <li>e. Location of subsurface sewers</li> <li>f. Climatological conditions</li> <li>g. Land use</li> </ol> </li> <li>3. A discussion of what was done to measure for the presence of a release</li> <li>4. Action taken to prevent further release of the regulated substance into the environment</li> <li>5. A discussion of the action taken to monitor and mitigate fire and safety hazards posed by vapors of free product that has migrated from the UST excavation zone and entered subsurface structures</li> </ol> </li> </ol> </li> </ol>	PM	8	
<p>E. Assisting Document</p> <ol style="list-style-type: none"> <li>1. Site map to scale and oriented north showing:               <ol style="list-style-type: none"> <li>a. UST system(s) and excavation limits</li> <li>b. Product and dispenser lines</li> <li>c. Pumps and islands</li> <li>d. Underground utilities (sewer, gas, water, etc.)</li> <li>e. Nearby structures (buildings, roads, etc.)</li> <li>f. Soil boring(s) (if present)</li> <li>g. Monitoring well(s) and/or sumps (if present)</li> <li>h. Property boundaries</li> <li>i. Sample location points</li> </ol> </li> <li>2. Area map showing the site in relation to surrounding properties. This map should identify the facilities on the surrounding properties</li> <li>3. Cross-section, to scale, showing the USTs and the excavation</li> </ol>	CAD Operator	8	
<p>4. Analytical/screening results in tabular format, including the results of soil samples required</p>	PM	2	

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMT SUMS**

Scope of Work	Personnel	Hours	Comments
pursuant to 35 Ill. Adm. Code 732.202(h) or 45 ILCS 5/57-57.17.			
5. UST information in a tabular format, including: a. Total number of UST(s) on site b. Volume of the UST(s) (in gallons) c. The material stored in the UST(s) d. Identification of UST system(s) that had a release e. Identification of UST system(s) that were repaired, removed, or abandoned in-place			UST information table included on Agency forms under 6.c.1.B. above (Release Information)
6. Copy of OSFM Permits or notifications	Administrative Asst	1	6, 8 & 9 combined for a total of 1 hour.
7. Narrative of tank removal and cleaning operations; describe how wastes generated during the tank removal were managed, treated, and disposed of	PM	1	
8. Photographs of UST removal activities and the excavation			6, 8 & 9 combined for a total of 1 hour.
9. Copies of waste manifests for soil and groundwater transported off-site			
d. Review and certification of 20-Day and 45-Day Reports and application for payment.	LPE or LPG	1	Certification added to IPCB's proposal. PM/Senior staff reference deleted. Added references to application for payment.
7. Resource Coordination			
a. Call J.U.L.I.E. and/or municipality to locate utilities			Already done prior to tank removal. Not required for preparation and submission of 20 and 45-day reports.
8. Distribution			
a. Deliver draft 20-day Certification and 45-Day Report and application for payment to owner/operator for review and signature	Administrative Asst	2	Covers all-copying and delivering costs. Added references to application for payment.
b. Make copies of 20-Day Certification and 45-Day Report and application for payment for distribution			
c. Deliver completed 20-Day Certification and 45-Day Report and application for payment to IEPA and owner/operator			
9. Prepare application for payment	Account Tech	8	This is added to IPCB's proposal.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<b>Section 734.845(a)(6) Preparation and submission of free product removal reports</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with and update Illinois Environmental Protection Agency (IEPA) b. Correspond with and update Client			2.a. already included in other line items and 2.b. is not corrective action.
3. Waste Disposal a. Review disposal documentation	PM	1	
4. Free Product Report Preparation a. Prepare Free Product Removal Report 1. Provide information pertaining to: A. Site Identification B. Free Product Information 1. Name(s) of person(s) responsible for implementing the free product removal measures 2. Estimated quantity, type, and thickness of free product observed or measured in boreholes, wells, excavation, etc. 3. The type of free product recovery system used and technical justification for the method of recovery chosen 4. Whether any discharge will take place on- or off-site during the recovery operation and where this discharge (point) will be located 5. Type of treatment applied to (the free product), and the effluent quality expected from any discharge 6. Steps that have been taken or that are being taken to obtain necessary permits for any discharge 7. The disposition of the recovered free product.	PM	4	

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
<b>C. Assting Documentation</b> 1. Site map to scale and oriented north showing: a. UST system(s) and excavation limits; b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc.) e. Nearby structures (buildings, roads, etc.) f. Soil boring(s) (if present) g. Monitoring well(s) and/or stumps (if present) h. Locations where free product was encountered including its estimated thickness i. Location of recovery points j. Location of the treatment unit k. Location of discharge points l. Property boundaries	CAD Operator	1	Site map already prepared under Early Action. Only modifications required at this point.
2. Table showing the dates that free product recovery was conducted and the amount of free product recovered on each date	PM	1	
3. Copies of waste manifests	Administrative Asst	1	
5. Review and certification of free product removal report.	LPE or LPG	1	Added to IPCB's proposal.
6. Distribution a. Deliver draft free product removal report to owner/operator for review and signature b. Make copies of free product removal report for distribution c. Deliver completed report to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.
<b>Section 734.845(a)(7) Preparation and submission of reports submitted pursuant to Section 734.210(h)(3)</b> 1. Site characterization/narrative 2. Characterization/narrative of water encountered in UST excavation 3. Completion of Property Owner Summary Form 4. Recording NFR Letter Early Action Completion Report	PM Admin Asst	2 2	This report submitted as part of 45-day Report. All other costs related to this report are included in costs for 45-day Report (e.g., LPG/LPE certification, distribution).

ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work	Personnel	Hours	Comments
<b>Section 734.845(b)(1) Preparation and submission of stage 1 site investigation plan</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Technical Evaluation a. Determine expected local site geology (subsurface soil conditions) b. Evaluate backfill/piping samples to Tier 1 remediation objectives c. Determine drilling locations for soil samples and monitoring wells d. Demonstrate if groundwater investigation is required (if applicable) e. Conduct initial water supply well survey per 734.315(a)(3)	PM	8	
4. Plan Preparation a. Prepare Stage 1 Site Investigation Plan 1. Provide information concerning: A. Site Identification B. Site Information 1. Will owner/operator seek reimbursement from the UST Fund? 2. If yes, is budget attached? 3. Is this an amended plan? 4. Identify the material released 5. Describe the activities that will be performed to determine the following: a. Degree of soil contamination b. Extent of soil contamination (as defined to Tier 1 Residential remediation objectives) c. The degree of groundwater contamination d. Extent of groundwater contamination (as defined to Class 1 Remediation Objectives unless otherwise approved by the Illinois EPA) e. Direction of groundwater flow f. Hydraulic conductivity of groundwater g. Identification of Site features that may affect contaminant transport and risk to human health and the environment 6. Site map to scale and oriented north showing:			No preparation of plan is required. Stage 1 Plan consists of a certification in the 45-day Report that the Stage 1 investigation will be conducted in accordance with 35 IAC 734.315 (Stage 1 site investigation requirements).

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<ul style="list-style-type: none"> <li>a. UST system(s) and excavation limits</li> <li>b. Product and dispenser lines</li> <li>c. Pumps and islands</li> <li>d. Underground utilities (sewer, gas, water, etc)</li> <li>e. Nearby structures (buildings, roads, etc.)</li> <li>f. Location of the proposed/existing soil borings</li> <li>g. Location of the proposed/existing monitoring wells</li> <li>h. Property boundaries</li> </ul>			
<ul style="list-style-type: none"> <li>b. Prepare or update site health and safety plan</li> </ul>			Previously prepared under 734.845(a)(1) task 4a. Not required for preparation and submission of Stage 1 plan.
<ul style="list-style-type: none"> <li>c. Prepare budget</li> </ul>			No preparation of budget is required. Stage 1 Budget consists of a certification in the 45-day Report that the Stage 1 investigation costs will not exceed the cost set forth in Subpart H.
<ul style="list-style-type: none"> <li>d. Review work to be done by project manager or other senior staff</li> <li>e. Prepare LPE/LPG certification</li> </ul>			Stage 1 plan submitted as part of 45-day Report. Review and certification costs included under 45-day Report review and certification costs.
<ul style="list-style-type: none"> <li>5. Resource Coordination                             <ul style="list-style-type: none"> <li>a. Arrange for drilling</li> <li>b. Call J.U.L.I.E. and/or municipality to locate utilities</li> </ul> </li> </ul>	PM	2	
<ul style="list-style-type: none"> <li>6. Distribution                             <ul style="list-style-type: none"> <li>a. Deliver draft plan and budget to owner/operator for review and signature</li> <li>b. Make copies of plan and budget for distribution</li> <li>c. Deliver completed plan and budget to Agency and owner/operator</li> </ul> </li> </ul>			Stage 1 Plan submitted as part of 45-day Report. These costs included under 45-day Report costs.

ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS

Scope of Work

Personnel

Hours

Comments

Scope of Work	Personnel	Hours	Comments
<b>Section 734.845(b)(3) Preparation and submission of stage 2 site investigation plan</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain local information (e.g., Sanborn maps, aerial overlays, etc.) b. Determine extent of property boundaries			These tasks already performed as part of 45-day Report preparation.
4. Technical Evaluation a. Address items in 35 IAC 734.320(b) b. Prepare or finalize field notes c. Prepare and describe site investigation photos d. Prepare contingency scope of work for boring/monitoring well locations	PM CAD Operator	16 8	These hours cover technical work performed (vs. report preparation hours which are included under 5 below).
5. Plan Preparation a. Prepare Stage 2 Site Investigation Plan addressing items in 35 IAC 734.320(b) 1. Provide information concerning: A. Site Identification B. Site Information 1. Will owner/operator seek reimbursement from the UST Fund? 2. If yes, is budget attached? 3. Is this an amended plan? 4. Identify the material released 5. Describe the activities that will be performed to determine the following: a. Degree of soil contamination b. Extent of soil contamination (as defined to Tier 1 Residential remediation objectives) c. The degree of groundwater contamination d. Extent of groundwater contamination (as defined to Class 1 Remediation Objectives unless otherwise approved by the Illinois EPA) e. Direction of groundwater flow f. Hydraulic conductivity of groundwater g. Identification of Site features that may affect contaminant transport and risk to human	PM	8	Included under 5 below. 5.a.1.B.5.h and 5.a.1.C added to Board's proposal

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
health and the environment. h. The following parameters, if determined during Stage 2 investigation: Hydraulic conductivity Soil bulk density Soil particle density Moisture content Organic carbon content C. Site Investigation Summary Form			
6. Site map to scale and oriented north showing: a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the proposed/existing soil borings g. Location of the proposed/existing monitoring wells h. Property boundaries			Maps included under 4.a. above. Site map already prepared under Early Action. Only modifications required at this point.
b. Prepare budget	Account Tech	4	
c. Prepare or review site health and safety plan			Previously prepared under 734.845(a)(1) task 4a.
d. Review and certification of Stage 2 Site Investigation Plan, Budget, and Stage 1 application for payment.	LPE/LPG	2	PM/Senior staff reference deleted. Added reference to application for payment.
6. Resource Coordination a. Arrange for drilling b. Call J.U.L.I.E. and/or municipality to locate utilities	PM	2	
7. Distribution a. Deliver draft plan and budget and application for payment to owner/operator for review and signature b. Make copies of plan and budget and application for payment for distribution c. Deliver completed plan and budget and application for payment to IEPA and owner/operator	Administrative Asst.	2	Covers all copying and delivering costs. Added references to application for payment.
8. Prepare Stage 1 applications for payment	Account Tech	8	This is added to IPCB's proposal.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
734.845(b)(5) Preparation and submission of stage 3 site investigation plan			The following hours are proposed in lieu of time and materials for Stage 3 Site Investigation.
1. Records Gathering a. Obtain local information (e.g., Sanborn maps, aerial overlays, etc.) b. Determine extent of property boundaries			These tasks are already performed as part of 45-day Report preparation.
2. Technical Evaluation a. Address items in 35 IAC 734.325(b) b. Prepare or finalize field notes c. Prepare and describe site investigation photos d. Prepare contingency scope of work for boring/monitoring well locations.	PM CAD Operator	16 8	These hours cover technical work performed (vs. report preparation hours which are included under 3 below). Included under 3 below.
3. Plan Preparation a. Prepare Stage 3 Site Investigation Plan addressing items in 35 IAC 734.325(b) I. Provide information concerning: A. Site Identification B. Site Information 1. Will owner/operator seek reimbursement from the UST Fund? 2. If yes, is budget attached? 3. Is this an amended plan? 4. Identify the material released 5. Describe the activities that will be performed to determine the following: a. Degree of soil contamination b. Extent of soil contamination (as defined to Tier 1 Residential remediation objectives) c. The degree of groundwater contamination d. Extent of groundwater contamination (as defined to Class 1 Remediation Objectives unless otherwise approved by the Illinois EPA) e. Direction of groundwater flow f. Hydraulic conductivity of groundwater g. Identification of Site features that may affect contaminant transport and risk to human health and the environment. h. The following parameters, if determined during Stage 3 investigation: Hydraulic conductivity	PM	8	

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Soil bulk density Soil particle density Moisture content Organic carbon content C. Site Investigation Summary Form			
6. Site map to scale and oriented north showing: a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the proposed/existing soil borings g. Location of the proposed/existing monitoring wells h. Property boundaries			Maps included under 4.a. above. Site map already prepared under Early Action. Only modifications required at this point.
b. Prepare budget	Account Tech	4	
c. Review and certification of Stage 3 Site Investigation Plan and Budget and Stage 2 application for payment.	LPE/LPG	2	
4. Resource Coordination a. Arrange for drilling b. Call J.U.L.I.E. and/or municipality to locate utilities	PM	2	
5. Distribution a. Deliver draft plan and budget and application for payment to owner/operator for review and signature b. Make copies of plan and budget and application for payment for distribution c. Deliver completed plan and budget and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs.
6. Off-site access Correspondence and meetings with off-site property owners	PM	4	4 hours total for each off-site property
7. Prepare Stage 2 applications for payment	Account Tech	8	
Section 734.845(b)(7) Well surveys conducted pursuant to Section 734.445(b)	PM	4	Not required for all sites.
Section 734.845(b)(8) Preparation and submission of site investigation completion report			
1. Project Management			All Project Management work is identified under Personnel Column as PM.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain local information (e.g., Sanborn maps, aerial overlays, etc.) b. Determine extent of property boundaries			These tasks are already performed as part of 45-day Report preparation.
4. Technical evaluation a. Address items in 35 IAC 734.330(a)(b) and (c) c. Describe methods for investigating site and surrounding areas. d. Describe the observations made while investigating site and surrounding areas e. Prepare or revise site maps per 35 IAC 734.330(b)(2)-(4) that also show: 1. Distance of at least 1,000 feet around UST (scale > 1:200) 2. Location of site with respect to section, township and range 3. On-site and off-site injection and withdrawal wells affected by release f. Evaluate existing and potential migration pathways and exposure routes g. Compile information regarding site-specific sampling activities and methods, including: 1. Sample collection information (date, time, method, location, sampler) 2. Sample preservation and shipment information, including QA/QC 3. Field and lab blank documentation h. Interpret the results of the site investigation i. Describe the release and evaluation exposure routes j. Describe the nature, concentration and extent of indicator contaminants k. Prepare or finalize field notes l. Prepare and describe site investigation photos m. Provide analysis of hydraulic conductivity test data from a single well n. Provide description of physical features that may affect contaminant transport	PM	16	
5. Report Preparation a. Prepare Site Investigation Completion Report addressing items in 35 IAC 734.330(a)(b) and (c) 1. Provide information concerning: A. Site Identification B. Site Information C. Site Investigation Results 1. Site History/Executive Summary 2. Narrative of field activities including sampling methods 3. Discussion of development of remediation objectives	PM CAD Operator	4 4	Site map already prepared under Early Action. Only modifications required at this point. Site Investigation Summary Form added to IPCB's proposal.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
4. Analytical results and remediation objectives in tabular format 5. Conclusions 6. Site maps to scale a. UST system(s) and excavation limits b. Product and dispenser lines c. Pumps and islands d. Underground utilities (sewer, gas, water, etc) e. Nearby structures (buildings, roads, etc.) f. Location of the soil borings g. Location of the existing monitoring wells h. Property boundaries 7. Soil boring logs 8. Well completion reports 9. Laboratory Reports and 10. Laboratory Certification D. Site Investigation Summary Form			
b. Prepare appendices containing references and data sources, log, lab reports, etc.			Included in 4 and 5.a above.
c. Review and certification of site investigation completion report and Stage 3 application for payment.	LPE or LPG	2	PM/Senior staff reference deleted. Reference to application for payment added.
6. Distribution a. Deliver draft site investigation completion report and application for payment to owner/operator for review and signature b. Make copies of site investigation completion report and application for payment for distribution c. Deliver completed report and application for payment to IEPA and owner/operator	Administrative Asst	2	Covers all copying and delivering costs. Reference to application for payment added.
7. Prepare Stage 3 applications for payment	Account Tech	8	This is added to IPCB's proposal.
<b>Section 734.845 (c) (1) Preparation and submission of corrective action plan (Conventional Tech)</b>			
1. Project Management			All Project Management work is identified under Personnel Column as PM.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Waste Disposal a. Prepare waste profile (arrange for landfill approval)	Tech	4	These hours include field work that is not covered under the half-day rates.
b. Determine limits of excavation c. Estimate quantity of contaminated soil to be disposed of d. Mail waste profile to owner/operator for review and signature e. Prepare waste manifests or tracking forms.	PM	4	
4. Technical Evaluation a. Estimate quantity of "clean" overburden to be stockpiled (if any):			Included in 3.b above
b. Prepare or finalize field notes c. Prepare and describe remediation photos			This work part of preparation and submission of Corrective Action Completion Report. (see items 4.b and c. under scope of work for Section 734.845(c)(4)).
5. Plan Preparation a. Prepare or review site health and safety plan			Previously prepared under 734.845(a)(1), item 4a.
b. Prepare Corrective Action Plan 1. Provide information concerning: A. Site Identification B. Site Information C. Proposed Methods of Remediation D. Soil and Groundwater Investigation Results 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 results 4. Boring logs 5. Monitoring well logs; and 6. Site maps to scale and oriented north showing: a. Soil sample locations	PM CAD Operator	2 2	Site map already prepared under Early Action. Only modifications required at this point.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
<ul style="list-style-type: none"> <li>b. Monitoring well locations</li> <li>c. Plumes of soil and groundwater contamination</li> </ul>			
<ul style="list-style-type: none"> <li>E. Technical Information – Corrective Action Plan                             <ul style="list-style-type: none"> <li>1. Discussion of how the corrective action plan shall remediate the release</li> <li>2. List of sampling parameters and corresponding remediation objectives</li> <li>3. Basis for determining sampling parameters and remediation objectives</li> <li>4. Media sampling plan to verify completion of remediation</li> <li>5. Current and future use of the property</li> <li>6. Proposed preventive, engineering and institutional controls</li> <li>7. Schedule for implementation and projected completion of the plan</li> <li>8. Engineering design specifications, diagrams, calculations, manufacturer's specifications, systems analyses, site maps, etc.</li> </ul> </li> </ul>	PM	16	
<ul style="list-style-type: none"> <li>c. Prepare budget for corrective action plan</li> </ul>	Account Tech	8	
<ul style="list-style-type: none"> <li>d. Review and certification of corrective action plan and budget</li> </ul>	LPE or LPG	4	PM/Senior staff reference deleted.
<ul style="list-style-type: none"> <li>6. Resource Coordination                             <ul style="list-style-type: none"> <li>a. Schedule project</li> <li>b. Arrange for subcontractors</li> <li>c. Call J.U.L.I.E. and/or municipality to locate utilities</li> </ul> </li> </ul>	PM	16	Reference to individual subcontracted activities changed to "subcontractors."
<ul style="list-style-type: none"> <li>7. Distribution                             <ul style="list-style-type: none"> <li>a. Deliver draft corrective action plan and budget to owner/operator for review and signature.</li> <li>b. Make copies of corrective action plan and budget for distribution.</li> <li>c. Deliver completed corrective action plan and budget to IEPA and owner/operator.</li> </ul> </li> </ul>	Administrative Asst	2	Covers all copying and delivering costs.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
Section 734.845(c)(3) Environmental Land Use Controls and Highway Authority Agreements	PM	8	8 hours total for each ELUC & HAA. Standardized documents being proposed in separate TACO rulemaking.
Section 734.845(c)(4) Preparation and submission of corrective action completion report			These tasks apply to Corrective Action Completion Reports for both conventional and alternative technologies. IPCB's proposal referenced only conventional technologies.
1. Project Management			All Project Management work is identified under Personnel Column as PM.
2. Correspondence a. Correspond with Agency b. Correspond with and update client			2.a. already included in other line items and 2.b. is not corrective action.
3. Records Gathering a. Obtain legal description of property b. Obtain property tax identification number			Included in hours for preparation of Corrective Action Completion Report.
4. Technical Evaluation a. Address items in 35 IAC 734.345(a)? b. Prepare and describe photos c. Prepare or finalize field notes			Included in 5 below.

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

<b>Scope of Work</b>	<b>Personnel</b>	<b>Hours</b>	<b>Comments</b>
<b>5. Report Preparation</b> a. Prepare Corrective Action Completion Report following items in 35 IAC 734.345(a) <ol style="list-style-type: none"> <li>1. Provide information concerning:                             <ol style="list-style-type: none"> <li>a. Site Identification</li> <li>b. Site Information</li> <li>c. Completion Information                                     <ol style="list-style-type: none"> <li>1. Chronological narrative of corrective action activities</li> <li>2. Explanation of how the corrective action activities remediated the release</li> <li>3. Discussion of how the remediation objectives were determined</li> <li>4. Media sampling and analytical procedures to verify completion of remediation</li> <li>5. Analytical results and remediation objectives in tabular format</li> <li>6. Laboratory results</li> <li>7. Soil boring logs</li> <li>8. Monitoring well logs</li> <li>9. Laboratory certification</li> <li>10. Applicable Professional Engineer Certification</li> <li>11. Site maps to scale and oriented north showing:   <ol style="list-style-type: none"> <li>a. Final soil sample locations demonstrating completion of remediation</li> <li>b. Groundwater monitoring well locations</li> <li>c. Groundwater recovery/discharge points</li> <li>d. Plume of contamination as defined by laboratory analyses</li> <li>e. Area remediated</li> </ol> </li> <li>12. Property Owner Summary</li> <li>13. Photographs documenting corrective action activities</li> </ol> </li> </ol> </li> </ol>	PM CAD Operator	32 8	Professional engineer certification included under 5.b. below. Site map already prepared under Early Action. Only modifications required at this point.
b. Review and certification of corrective action completion report and application for payment.	LPE	4	PM/Senior staff reference deleted. Reference to applications for payment added.
<b>6. Resource Coordination</b> a. Record NFR letter	Administrative Asst	2	

**ATTACHMENT 2 SCOPES OF WORK FOR PART 734 PROFESSIONAL CONSULTING SERVICES LUMP SUMS**

Scope of Work	Personnel	Hours	Comments
7. Distribution a. Deliver draft corrective action completion report and application for payment to owner/operator for review and signature b. Make copies of corrective action completion report and application for payment for distribution c. Deliver completed corrective action completion report and application for payment to IEPA and owner/operator d. Make copies of recorded NFR letter for distribution e. Deliver recorded NFR letter to IEPA and owner/operator	Administrative Asst	3	Covers all copying, delivering costs and recording of NFR letter. References to applications for payment added.
8. Prepare applications for payment	Account Tech	8	This has been added to the IPCB's proposal.
<b>Section 734.845(d)(2) Development of Tier 2 or Tier 3 remediation objectives</b>	PM	8	
<b>Section 734.845(f) Amendment of plan due to unforeseen circumstances and its associated budget</b>	PM Acct Tech	6 2	

**ATTACHMENT 3 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 732**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
732.845(a)(1) Preparation for the abandonment or removal of USTs	PM/9 Tech/5	\$1225 <sup>1</sup>	\$1035 <sup>1</sup>	\$960 <sup>1</sup>
732.845(a)(3) Preparation and submission of 20-day and 45-day reports	PM/19 CAD/8 Admin Asst/3 LPE/LPG/1 Acct Tech/8	\$3085 <sup>1,2</sup>	\$2477 <sup>1,2</sup>	\$4800 <sup>1,2</sup>
732.845(a)(6) Preparation and submission of free product removal reports	PM/6 CAD/1 Admin Asst/3 LPE/LPG/1	\$925	\$747	\$1600
732.845(a)(7) Preparation and submission of reports submitted pursuant to Section 734.202(h)(3)	PM/2 Admin Asst/2	\$290	\$230	\$500
732.845(b)(1) Preparation and submission of site classification plans, site classification preparation, fieldwork, field oversight, and the preparation and submission of the site classification completion report	PM/40 Geologist/10 CAD/13 Tech/20 LPE/LPG/4 Admin Asst/4 Acct Tech/12	\$8540 <sup>2</sup>	\$6608 <sup>2</sup>	\$9870 <sup>2</sup>
732.845(c)(1) Preparation and submission of low priority groundwater monitoring plan	PM/8 Acct Tech/4 LPE/LPG/2 Admin Asst/2	\$1370	\$1094	\$3200

**Note:** This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).

**ATTACHMENT 3 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 732**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
732.845(c)(3) Preparation and submission of first year groundwater monitoring reports	PM/8 CAD/2 LPE/LPG/2 Admin Asst/2 Account Tech/4	\$1490	\$1174	\$2560
732.845(c)(4) Preparation and submission of second year groundwater monitoring reports	PM/8 CAD/2 LPE/LPG/2 Admin Asst/2 Account Tech/4	\$1490	\$1174	\$2560
732.845(c)(5) Preparation and submission of low priority groundwater monitoring completion report	PM/8 CAD/2 LPE/LPG/2 Admin Asst/2 Account Tech/4	\$1490	\$1174	\$2560
732.845(d)(1)(A) Preparation and submission of investigation plans for on-site contamination for sites classified pursuant to Section 732.307	PM/26 CAD/8 Account Tech/4 LPE/LPG/2 Admin Asst/2	\$3650	\$3034	\$3200
732.845(d)(1)(B) Preparation and submission of investigation plans for off-site contamination for sites classified pursuant to Section 732.307	PM/26 CAD/8 Account Tech/4 LPE/LPG/2 Admin Asst/2 PM-additional 4 - for each off-site access property.	\$3650 + 400 for each off-site property	\$3034 + \$360 for each off-site property	\$3200

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

**ATTACHMENT 3 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 732**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
732.845(d)(3) Well surveys conducted pursuant to Sections 732.404(e)(1) and 734.445(b)	PM/4	\$400	\$360	\$160
732.845(d)(4) Preparation and submission of corrective action plan (Conventional)	PM/38 Tech/4 CAD/2 Account Tech/8 LPE/LPG/4 Admin Asst/2	\$5230	\$4378	\$5120
732.845(d)(6)(B) Development of Tier 2 or Tier 3 remediation objectives	PM/8	\$800	\$720	\$800
732.845(d)(7) Environmental Land Use Controls and Highway Authority Agreements	PM/8	\$800	\$720	\$800
732.845(d)(8) Preparation and submission of corrective action completion report	PM/32 CAD/8 LPE/4 Admin Asst/5 Account Tech/8	\$4865	\$4045	\$5120

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

**ATTACHMENT 3 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 732**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
732.845(f) Amendment of plan and its associated budget	PM/6 Account Tech/2	\$710	\$610	\$640

	High	Low		High	Low
LPE/LPG	\$130	\$92	CAD	\$60	\$40
PM	\$100	\$90	Admin Asst	\$45	\$25
Tech	\$65	\$45	Acct Tech	\$55	\$35
Geologist	\$110	\$70			

<sup>1</sup> In the IEPA's proposal preparation of Health and Safety Plan costs were included in the preparation of the 20 Day and 45 Day Report cost. In this breakdown, preparation of Health and Safety Plan costs are included in preparation for the abandonment or removal of USTs.

<sup>2</sup> In the IEPA's proposal potable water supply well survey costs were included in the preparation of the 20 Day and 45 Day Report costs. In this breakdown, potable water supply well survey costs are included in Site Classification costs.

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

**ATTACHMENT 4 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 734**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
734.845(a)(1) Preparation for the abandonment or removal of USTs	Tech/5 PM/9	\$1225 <sup>1</sup>	\$1035 <sup>1</sup>	\$960 <sup>1</sup>
734.845(a)(3) Preparation and submission of 20-day and 45-day reports	PM/19 CAD/8 Acct Tech/8 Admin Asst/3 LPE/LPG/1	\$3085 <sup>1,2</sup>	\$2477 <sup>1,2</sup>	\$4800 <sup>1,2</sup>
734.845(a)(6) Preparation and submission of free product removal reports	PM/6 CAD/1 LPE/LPG/1 Admin Asst/3	\$925	\$747	\$1600
734.845(a)(7) Preparation and submission of reports submitted pursuant to Section 734.210(h)(3)	PM/2 Admin Asst/2	\$290	\$230	\$500
734.845(b)(1) Preparation and submission of stage 1 site investigation plan	PM/10	\$1000	\$900	\$1600
734.845(b)(3) Preparation and submission of stage 2 site investigation plan	PM/26 CAD/8 Acct Tech/12 Admin Asst/2 LPE/LPG/2	\$4090 <sup>2</sup>	\$3314 <sup>2</sup>	\$3200 <sup>2</sup>

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

**ATTACHMENT 4 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 734**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
734.845(b)(5) Preparation and submission of stage 3 site investigation plan	PM/26 CAD/8 Acct Tech/12 LPE/LPG/2 Admin Asst/2 PM-additional 4 - for each off-site access property.	\$4090 + \$400 for each off-site property	\$3314 + \$360 for each off-site property	\$3200-Agency T&M - Board
734.845(b)(7) Well surveys conducted pursuant to Section 734.445(b)	PM/4	\$400	\$360	\$160
734.845(b)(8) Preparation and submission of site investigation completion report	PM/20 CAD/4 LPE/LPG/2 Admin Asst/2 Acct Tech/8	\$3030	\$2474	\$1600
734.845(c)(1) Preparation and submission of corrective action plan (Conventional)	PM/38 Tech/4 CAD/2 Acct Tech/8 LPE/LPG/4 Admin Asst/2	\$5230	\$4378	\$5120
734.845(c)(3) Environmental Land Use Controls and Highway Authority Agreements	PM/8	\$800	\$720	\$800

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

**ATTACHMENT 4 SUMMARY OF PROFESSIONAL CONSULTING SERVICES LUMP SUMS FOR PART 734**

Section/Title	Personnel/Hours	Total from Task Breakdown (Spreadsheet)		Amount Proposed in Subpart H
		High	Low	
734.845(c)(4) Preparation and submission of corrective action completion report	PM/32 CAD/8 LPE/LPG/4 Admin Asst/5 Acct Tech/8	\$4865	\$4045	\$5120
734.845(d)(2) Development of Tier 2 or Tier 3 remediation objectives	PM/8	\$800	\$720	\$800
734.845(f) Amendment of plan and its associated budget	PM/6 Acct Tech/2	\$710	\$610	\$640

	High	Low		High	Low
LPE/LPG	\$130	\$92	CAD	\$60	\$40
PM	\$100	\$90	Admin Asst	\$45	\$25
Tech	\$65	\$45	Acct Tech	\$55	\$35
Geologist	\$110	\$70			

<sup>1</sup> In the IEPA's proposal preparation of Health and Safety Plan costs were included in the preparation of the 20 Day and 45 Day Report cost. In this breakdown, preparation of Health and Safety Plan costs are included in preparation for the abandonment or removal of USTs.

<sup>2</sup> In the IEPA's proposal potable water Asstly well survey costs were included in the preparation of the 20 Day and 45 Day Report costs. In this breakdown, potable water Asstly well survey costs are included in Stage 2 Site Investigation Plan costs.

**Note: This summary includes only lump sum amounts for Professional Consulting Services. It does not include professional consulting services costs to be reimbursed on a unit rate basis (i.e., field over-site and travel costs).**

STATE OF ILLINOIS     )  
  )  
COUNTY OF SANGAMON )

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Illinois Environmental Protection Agency's Submission of Pre-Filed Testimony For The March 23, 2006 Hearing and Testimony of Douglas W. Clay Regarding The Illinois Pollution Control Board's Proposed 35 ILL.ADM.Code 732.845 and 734.845 on behalf of the Illinois Environmental Protection Agency upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy M. Gunn, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph St., Ste 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

Marie Tipsord, Hearing Officer  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph St., Ste 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

See Attached Service List  
(1st Class)

and mailing it from Springfield, Illinois on 2-28-06

Meredith Kelley

SUBSCRIBED AND SWORN TO BEFORE ME

this 28<sup>th</sup> day of February, 2006

Brenda Boehner  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
PROPOSED AMENDMENTS TO )  
REGULATION OF PETROLEUM ) R 04-22  
LEAKING UNDERGROUND STORAGE ) (Rulemaking – Land)  
TANKS (35 ILL. ADM. CODE 732) )

TESTIMONY OF DOUGLAS W. CLAY IN SUPPORT OF  
THE ENVIRONMENTAL PROTECTION AGENCY'S PROPOSAL TO AMEND  
35 ILL. ADM. CODE 732

My name is Doug Clay. I am the manager of the Leaking Underground Storage Tank ("LUST") Section within the Bureau of Land of the Illinois Environmental Protection Agency. I have been in my current position since September of 1994. The LUST Section is primarily responsible for reviewing the technical adequacy of plans, reports and associated budgets for the remediation of releases from underground storage tanks regulated under Title XVI of the Environmental Protection Act ("Act") and 35 Ill. Adm. Code, Parts 731 and 732.

Prior to assuming my current position, I was the manager of the Disposal Alternative Unit within the Permit Section of the Bureau of Land. I have also worked in the Permit Section in the Bureau of Water. I have been employed at the Illinois EPA since 1983 following the receipt of a B.S. degree in Civil Engineering from the University of Illinois. I have been a Registered Professional Engineer in Illinois since 1989. A copy of my resume is attached.

Today I will be testifying in support of the proposed amendments to 35 Ill. Adm. Code, Part 732. These amendments are the result of: (1) modification to the Illinois Environmental Protection Act by Public Acts 92-0554 and 92-0735; (2) the need to

reform the current budget and reimbursement process; and (3) to clarify issues that have arisen since Part 732 was last amended. My testimony will provide a brief overview and focus on a portion of Subpart C (Section 732.306 only), Subpart D, Subpart E, portions of Subpart F and Subpart G.

Overview – The proposed regulatory amendments are intended to streamline the leaking underground storage tank remediation process, clarify remediation requirements and most notably reform the budget and reimbursement process. The new budget and reimbursement process would eliminate the majority of budgets and reimbursement packages submitted based on a time and material basis and replace them with submittals based on unit rates and lump sums for specific tasks established in the regulations. We believe that this will streamline the approval of budgets and the processing of reimbursement claims. Currently, there is a tremendous amount of time spent reviewing budgets and reimbursement packages. Furthermore, the majority of plan and report denials, amendments to plans and reports submitted by consultants, and appeals before the Illinois Pollution Control Board are related to budget and reimbursement issues, as opposed to technical issues. The Agency believes that the proposed amendments will allow more efficient use of Board and Agency resources, improve consistency, lower remediation costs, expedite cleanups and allow tank owners and operators to be reimbursed in a more timely manner. The proposed costs in Subpart H were developed with input from the consulting industry and other trade organizations plus nearly 15 years of Agency experience administering the leaking underground storage tank reimbursement program, and are generally consistent with the rates we currently approve for reimbursement. Over the past 15 years, the Agency has approved over one-half billion

dollars for reimbursement. This involved reviewing over 12,800 budgets and over 18,300 applications for payments. In addition, it should be noted that our current rates and the approach to the development of our current rates have been upheld in Board decisions.

Section 732.306 – Deferred Site Classification; Priority List for Payment.

Wording has been changed to clarify the administrative procedures with regard to deferring site classification due to insufficient funds being available for reimbursement from the UST Fund. In addition, the minimum criteria that must be met before an owner or operator is allowed to defer has been modified and would require that the extent of soil and groundwater contamination be determined. The Agency believes that the proposed additions are required to be able to determine that the deferral of site investigation for the subject release would not pose a threat to human health or the environment. This is the same wording that is being proposed in Section 732.406.

Section 732.404 – High Priority Site. Wording was added in subsection 732.404(e) requiring the potable water well survey identified in subsection 732.307(f) to be extended if the contamination has migrated beyond the property boundary or if the soil and/or groundwater is going to be left in place and the groundwater is modeled to migrate beyond the property boundary. The same sources of information previously required must be contacted and documentation provided to help ensure the adequate protection of potable water supply wells.

In addition, the Agency may require a more extensive well survey, which may include a physical survey of wells in the area if site-specific circumstances warrant. For example, if the original well survey is conducted and identifies that some, but not all, of

RECEIVED  
CLERK'S OFFICE

MAR 06 2004

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

IN THE MATTER OF: )  
 )  
PROPOSED AMENDMENTS TO REGULATION OF )  
PETROLEUM LEAKING UNDERGROUND STORAGE )  
TANKS (35 ILL.ADM.CODE 732) ) R04-22  
 ) (Rulemaking-Land)

NOTICE

Dorothy Gunn, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Ste. 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

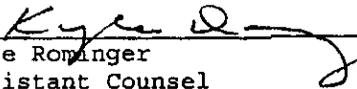
Marie Tipsord, Hearing Officer  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Ste 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of  
the Clerk of the Pollution Control Board the Errata Sheet and Prefiled Testimony  
of Doug Clay, Hernando Albarracin, Doug Oakley, Brian Bauer and Harry Chappel  
of the Illinois Environmental Protection Agency, a copy of which is  
herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

By:

  
\_\_\_\_\_  
Kyle Rominger  
Assistant Counsel

DATE: March 05, 2004  
Agency File #:  
Illinois Environmental  
Protection Agency  
1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
)  
PROPOSED AMENDMENTS TO ) R04-022  
REGULATION OF PETROLEUM ) (Rulemaking – Land)  
LEAKING UNDERGROUND STORAGE )  
TANKS (35 ILL.ADM. CODE 732) )

TESTIMONY OF HARRY A CHAPPEL, P.E.  
IN SUPPORT OF THE ENVIRONMENTAL PROTECTION AGENCY'S PROPOSAL TO  
AMEND 35 ILL. ADM. CODE 732

My name is Harry Chappel. I am a Unit Manager in the Leaking Underground Storage Tank (UST) Section within the Bureau of Land of the Illinois Environmental Protection Agency (EPA). I have been in my current position since March of 2002. I was employed by the Illinois EPA from 1976 to 1995. From 1995 to 2001 I was in private practice as a co-owner in two environmental consulting firms located in Springfield, Illinois. I was the Manager of the Leaking UST Section from 1991 to 1994. I received a B.S. degree in Civil Engineering from the University of Missouri at Rolla in 1975 and a M.S. in Thermal and Environmental Engineering from Southern Illinois University at Carbondale in 1979. I have been a Registered Professional Engineer in Illinois since 1979. A copy of my current resume is provided as Attachment 1.

Today I will be testifying in support of the proposal to amend 35 Ill. Adm. Code, Part 732. This proposal is the result of modifications to the Illinois Environmental Protection Act by Public Acts 92-0554 and 92-0735, and the need to reform the current reimbursement procedures. My testimony will focus on the following reimbursement requirements proposed in Subpart H of Part 732:

732.800      Applicability

- 732.825 Soil Removal and Disposal
- 732.835 Sample Handling and Analysis
- 732.845 Professional Consulting Services
- 732.850 Payment on Time and Material Basis
- 732.855 Unusual or Extraordinary Expenses
- 732.865 Agency Review of Payment Amounts

The remaining portions of Subpart H will be discussed by Brian Bauer in his testimony.

#### 732.800 - Applicability

This section specifies that all reimbursable tasks and/or activities under Part 732 will be limited to a maximum amount specified therein. Illinois EPA has grouped all activities which may be reimbursable into the following categories:

- 732.810 – UST Removal or Abandonment
- 732.815 – Free Product or Groundwater Removal and Disposal
- 732.820 – Drilling, Well Installation and Abandonment
- 732.825 – Soil Removal and Disposal
- 732.830 – Drum Disposal
- 732.835 – Sample Handling and Analysis
- 732.840 – Replacement of Paving; Above Grade Structures
- 732.845 – Professional Consulting Services
- 732.850 – Time and Material Payments
- 732.855 – Unusual or Extraordinary Expenses
- 732.860 – Handling Charges

In support of these proposed allowable amounts, I have attached copies of allowable amounts from other states with similar programs. These attachments are as follows:

Attachment 2 -- Summary of Information

Attachment 3 -- Arizona

Attachment 4 -- Indiana

Attachment 5 -- Colorado

Attachment 6 -- Texas

Attachment 7 -- Oklahoma

Attachment 8 -- South Carolina

732.825 -- Soil Removal and Disposal

The Illinois EPA is proposing to allow a maximum of \$57.00 per cubic yard for soil excavation, transportation and disposal costs. Attachment 9 provides a summary of randomly selected projects, which were reviewed in developing this figure. The \$57 per cubic yard figure proposed in the regulations is the sum of the cost to excavate, transport and dispose (\$47.58) plus one standard deviation (\$8.22), rounded up to \$57 to allow for incidental expenses. The Illinois EPA is proposing \$20/cubic yard be allowed for backfill costs. The \$20/cubic yard figure is the sum of the costs to backfill (\$15.89) plus one standard deviation (\$4.38), rounded to the nearest whole dollar. The Illinois EPA is proposing separate amounts for these activities since the amount of soil excavated and disposed does not always equal the amount of backfill required. The Illinois EPA has historically allowed \$55 per cubic yard for excavation, transportation, and disposal of contaminated soil.

These costs include all equipment, personnel, trucking and disposal fees. They do not include a consultant's oversight of the removal operation.

To determine the volume of soil, a simple volume calculation is provided in the proposal. To account for the fact that the in-place volume is less than the excavated volume of soil, a "fluff" factor of 5 percent has been added to the equation. This 5 percent allowance applies to excavation, transportation, disposal, and backfill volumes. Also, the conversion factor for converting tons to cubic yards has been specified. This conversion factor is also proposed for early action excavation amounts specified in Appendix C of the amended rules.

Likewise, the volume of backfill allowed to be reimbursed has been specified. The \$20 per cubic yard figure again includes materials, trucking, equipment and personnel. This figure does not include costs for a consultant's oversight of the operation.

There will be situations where soil at the excavation may not be contaminated, but must be removed to access the contaminated soil. A cost per cubic yard to excavate, stockpile and replace this soil has been specified to account for these situations. This \$6.50 per cubic yard figure was obtained from the 2003 National Construction Cost Estimator, 51<sup>st</sup> Edition.

#### 732.835 – Sampling Handling and Analysis

Proposed Appendix D will set the maximum amounts to be reimbursed for various chemical and physical tests on soil and groundwater. The Illinois EPA met with the Illinois Association of Environmental Laboratories (IAEL) regarding reasonable reimbursement amounts for these types of tests. In response to the Agency's request, the IAEL provided a survey of 5 labs which is included in Attachment 10. The IAEL suggested the Illinois EPA use the highest rate reported by any of the 5 laboratories. The Illinois EPA rejected this approach. The Illinois

EPA instead opted to use the average amounts provided on the IAEL data contained in Attachment 10. Attachment 11 breaks down how the average amounts provided in Appendix D were calculated from the IAEL data. The following variations from the IAEL data should also be noted:

1. The cost per sample for chemical oxygen demand (COD) was based on the IAEL data for the biological oxygen demand (BOD) test. It was assumed the cost for these two tests would be similar. A cost for BOD has not been provided in Appendix D as this test is not required in most UST applications;
2. Dollar amounts on the IAEL table (Appendix 10) were rounded to the next higher total dollar amount;
3. A cost for "Iron Total Soil" is included in the Illinois EPA proposal that is not on the IAEL spreadsheet. The cost of this test was assumed to be equal to the test for "Iron TCLP Soil," or \$10;
4. The geotechnical cost for porosity and soil classification are based on historical results from previous budgets and billing packages reviewed by the Illinois EPA. The average cost for a porosity test was \$30. The average cost for soil classification was \$68.

#### 732.845 – Professional Consulting Services

This section provides limits for the fees that consultants may be reimbursed for various tasks conducted as part of Leaking UST remediation. The Illinois EPA has coordinated with the Consulting Engineers Council of Illinois (CECI) to develop the activities that are conducted by the consultant in each step of the process and the estimated personnel time (hours) required for

each activity within a task. Once the hours required to perform a task and/or activity were determined, the Illinois EPA developed an average hourly rate to establish the limits specified in this section. The Illinois EPA developed an average hourly rate by reviewing the historical records of the Illinois EPA for previous reimbursements. By averaging the maximum hourly rates for each title in Appendix E of the proposed rules, an average hourly rate of \$81.25/hour is derived as follows:

	<u>Appendix E</u>
Engineer	\$130.00
Geologist	\$110.00
Scientist	\$85.00
Project Manager	\$100.00
Technician	\$65.00
Account Technician	\$55.00
Administrative Assistant	\$45.00
Draftsperson	\$60.00
Staff Engineer	--
Staff Geologist	--
Total	\$650.00
Average	\$81.25/hour

In addition, the Illinois EPA randomly selected 19 reimbursement requests to review in an attempt to determine if the rate was reasonable. This information is summarized in Attachment 12. This data would indicate an average rate for consultant services around \$68/hour.

Using this information, the Illinois EPA determined an average hourly personnel cost of \$80/hour would be used for budgeting purposes. This figure is roughly 15% higher than the average derived from the reimbursement requests summarized in Attachment 12. Unless stated otherwise in the testimony for specific sections, a workday of ten hours was assumed. The limits specified include all costs incurred by a consultant for completing the specified activity,

including, but not limited to, project planning and oversight, travel, per diem, mileage, transportation, lodging, all miscellaneous equipment, as well as the preparation of plans, reports, applications for payment and other documentation. There will be no additional monies provided if multiple submittals are required to provide the required information. For example, a consultant may be reimbursed up to \$4,800 for the preparation and submission of the 20-Day and 45-Day Reports, and any amendments or revisions to those reports.

The hours estimated for the various activities discussed were derived in consultation with the Consulting Engineers Council of Illinois (CECI).

a. Early Action – the proposed fee (allowed if the consultant is involved with the preparation for the abandonment or removal of USTs) is derived as follows:

Personnel – 12 hours x \$80/hour = \$960.00

20 and 45-Day Reports – the proposed fee for preparation of the 20-Day and 45-Day Reports is derived as follows:

Personnel – 60 hours x \$80/hour = \$4,800.00

Free Product Reports – the proposed fee is for initial site visit and preparing a Free Product Report for submittal. The fee is derived as follows:

Personnel – 2 people x 1 day x 10 hour day x \$80/hour = \$1,600.00

Free Product Recovery Systems – the cost for design, installation, and operation of Free Product Recovery Systems will be determined based on a time and material basis, in accordance with proposed Section 732.850.

The final proposed fee specified under this section allows \$500 for a Professional Engineer's closure certification, if remediation is complete following early action activities. This fee is derived as follows:

$$2 \text{ hours} \times \$130/\text{hour} = \$260.00$$

The remaining \$240 is to cover the additional costs for clerical support, preparation and submittal of the Owner/Operator Summary form and recording fees for the No Further Remediation Letter.

b. Site Evaluation and Classification – Consulting fees for site classification pursuant to Section 732.307 (Method 1 and Method 2) include preparation of the Site Classification Plan, oversight of the field work and preparation of the Site Classification Completion Report. To develop this fee the Illinois EPA reviewed 32 reimbursement requests containing personnel costs for Method 1 and 2 site classifications. Attachment 13 is a summary of the data developed and provides the proposed average cost of \$9,870.00 for these two methods of site classification. Owners/operators choosing to classify using Section 732.312 will propose personnel budgets based on a time and materials breakdown under 732.850.

c. Low Priority Corrective Action – The consultant fees allowed for low priority corrective action are derived as follows:

Monitoring Plan	40 hours x \$80/hour =	\$3,200
1 <sup>st</sup> Year Report	32 hours x \$80/hour =	\$2,560
2 <sup>nd</sup> Year Report	32 hours x \$80/hour =	\$2,560
Completion Report	32 hours x \$80/hour =	<u>\$2,560</u>
	Total =	\$10,880

Consultant fees for low priority field oversight and monitoring will be discussed by Mr. Bauer.

d. Corrective Action – the corrective action requirements will consist of the preparation of the Corrective Action Plan (CAP) and Budget, the field work associated with conducting corrective action, the preparation of the Corrective Action Completion Report (CACR) and all reimbursement requests. For conventional technology the rules establish set fees for these activities. The fees established for the office work involved in developing the conventional technology CAP and Budget, the CACR and reimbursement submittals for conventional technology, and a CACR for alternative technologies are derived as follows:

$$64 \text{ hours} \times \$80/\text{hour} = \$5,120$$

The fees established for the consultant's field work will be discussed by Mr. Bauer.

The consultant fee reimbursement amount for alternative technologies will be based on a time and material justification, which will be discussed later.

A consultant would not be entitled to the \$5,120 for CAP preparation if no active remediation will occur. For example, if, following site investigation, the CAP consists only of placing asphalt over the remaining contamination and performing a Part 742 model, the reimbursement proposing to use only Part 742 (TACO) barriers, models, and institutional controls would be limited to \$800 [732.845(c)(3)] plus the Corrective Action Completion Report (CACR) costs of \$5,120 for a total of \$5,920 for the CAP and CACR.

Additional monies have been allowed for the consultant's development of Tier 2 or Tier 3 remediation objectives under 35 Ill. Adm. Code 742 and the preparation of Environmental Land Use Controls and Highway Authority Agreements as follows:

$$10 \text{ hours} \times \$80/\text{hour} = \$800.00$$

732.850 – Payment on Time and Material Basis

In developing the reimbursement amounts under Subpart H the Agency realized there were activities for which a specific set fee could not be developed. This section of Subpart H provides a method for developing a budget and reimbursement amount for such activities. The estimated budgets and reimbursement amounts for the activities will be based on a time and materials basis for each site. For example, the development and implementation of CAPs proposing alternative technologies will require a breakdown of all proposed activities which do not have set amounts previously established (e.g., analytical costs listed in Appendix D). It should be noted the cost for the alternative technology proposal cannot exceed the cost for conventional technology or be substantially higher than other available alternative technologies. All plans and budgets will be reviewed for reasonableness.

Section 732.855 – Unusual or Extraordinary Expenses

This section provides an opportunity for an owner/operator to demonstrate their site presents unusual or extraordinary circumstances. If the owner or operator can demonstrate such circumstances to the Agency, the Agency can allow exceedances of the Subpart H amounts on a site-specific basis.

Section 732.865 – Increase in Maximum Payment Amounts

Section 732.865 is amended in the Agency's First Errata Sheet. As amended, this section will increase the amounts set forth in Subpart H every year based on inflation. The amount of the increase is based upon the annual Implicit Price Deflator for Gross National Product and will be published by the Agency on, or before, July 1 of each year on the Agency's web site. The annual adjustment may not exceed 5% in any one year, and the first adjustment will be effective July 1, 2006. In addition, as always, the Agency or anyone else may propose changes to the rules at any time as needed.

The inflation factor used by the Agency in reviewing budget proposals will be based on the amounts in effect on the date the budget was received. For billing packages not based on an approved budget, the maximum allowable amounts will be based on the date the costs were incurred.

HAC:jk\Testimony 732.doc

# **ATTACHMENT**

**1**

**HARRY A. CHAPPEL, P.E.**  
**144 LACONWOOD**  
**SPRINGFIELD, IL 62707**

**HOME PHONE: 217-529-6330**  
**WORK PHONE: 217-785-3913**

## **OVERVIEW**

Over twenty seven years of experience in environmental engineering and management. Includes work with State and Federal laws, regulations and guidance in the areas of water pollution, solid waste, hazardous waste, and leaking underground storage tanks. Established the Underground Storage Tank Section in the Bureau of Land at the Illinois Environmental Protection Agency. This Section grew from a unit of four personnel to a staff of over fifty. The budget for this Section exceeded fifteen million dollars annually.

Six years spent in private practice as an environmental consultant and small business owner. Responsibilities included client relations, job estimating, invoicing, payroll, personnel, project design, engineering management, and project management.

## **WORK EXPERIENCE**

### **Private Practice**

12/99 to 7/01 Vice President and co-owner of Inland/Chappel Environmental, a Division of Inland Environmental, Inc.  
5/95 to 12/99 Vice President and co-owner of CSD Environmental Services, Inc.

### **Illinois Environmental Protection Agency**

3/02 to Present Illinois Environmental Protection Agency, Unit Manager, Leaking Underground Storage Tank Section, Bureau of Land  
7/01 to 3/02 Illinois Environmental Protection Agency, Permit Review Engineer, Permit Section, Bureau of Land  
9/94 to 5/95 Illinois Environmental Protection Agency – Manager, Hazardous Waste Branch, Permit Section, Bureau of Land  
6/90 to 9/94 Illinois Environmental Protection Agency, Manager, Leaking Underground Storage Tank Section, Bureau of Land  
2/87 to 6/90 Illinois Environmental Protection Agency, Manager, Compliance Section, Bureau of Land  
4/83 to 2/87 Illinois Environmental Protection Agency, Unit Manager, Permit Section, Bureau of Land  
12/79 to 4/83 Illinois Environmental Protection Agency, Manager, Permit Section, Mine Pollution Control Program  
9/78 to 12/79 Illinois Environmental Protection Agency, Permit Review Engineer, Permit Section, Mine Pollution Control Program  
2/76 to 9/78 Illinois Environmental Protection Agency, Permit Review Engineer, Permit Section, Bureau of Water  
12/75 Graduated from University of Missouri @ Rolla

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**EDUCATION**

B.S. – Civil Engineering, University of Missouri @ Rolla, December 1975

M.S. – Thermal & Environmental Engineering, Southern Illinois University @  
Carbondale, June 1979

**PROFESSIONAL REGISTRATION**

Professional Engineer	IL #062-03895	(current)
	MO #EN 028019	(inactive)
	OH #E 63580	(inactive)

Asbestos	#100-7207	Management Planner, Project Designer, and Inspector (current)
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**AWARDS**

**Certificate of Commendation - Illinois Environmental Protection Agency - 1995**  
**Certificate of Appreciation – Bureau of Land – 1995**

RECEIVED  
CLERK'S OFFICE

MAR 06 2004

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

IN THE MATTER OF: )  
 )  
PROPOSED AMENDMENTS TO REGULATION OF )  
PETROLEUM LEAKING UNDERGROUND STORAGE )  
TANKS (35 ILL.ADM.CODE 732) ) R04-22  
 ) (Rulemaking-Land)

NOTICE

Dorothy Gunn, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Ste. 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

Marie Tipsord, Hearing Officer  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Ste 11-500  
Chicago, Illinois 60601  
(Overnight Mail)

See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of  
the Clerk of the Pollution Control Board the Errata Sheet and Prefiled Testimony  
of Doug Clay, Hernando Albarracin, Doug Oakley, Brian Bauer and Harry Chappel  
of the Illinois Environmental Protection Agency, a copy of which is  
herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

By: Kyle Rominger  
Kyle Rominger  
Assistant Counsel

DATE: March 05, 2004  
Agency File #:  
Illinois Environmental  
Protection Agency  
1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

THIS FILING IS SUBMITTED ON RECYCLED PAPER