BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

| CAS & MINITAADT | CLERK'S OFFICE |
|------------------------|---|
| GAS & MINI MART, | DEC 2 3 2010 |
| Petitioner, | STATE OF ILLINOIS Pollution Control Board |
| VS. |)) PCB No. 10- |
| ILLINOIS ENVIRONMENTAL |) (UST Appeal – Petition for Review and |
| PROTECTION AGENCY, |) Hearing/Appeal) |
| Respondent. |) |

PETITION FOR REVIEW AND HEARING/APPEAL

NOW COMES Gas and Mini Mart, by its attorneys, Elias, Meginnes, Riffle & Seghetti, P.C., and as and for its Petition for Review and Hearing/Appeal of the Illinois Environmental Protection Agency's final decision with respect to the budget for a Site Investigation Plan for a certain leaking underground storage tank (LUST) site, states as follows:

BACKGROUND

- 1. Gas and Mini Mart retained Midwest Environmental Consulting & Remediation Services, Inc. (Midwest) to remediate the property located at 315 West Beaufort, Normal, Illinois, LPC #1130955035, LUST Incident No. 20031596 (the Property).
- 2. The Property was the site of investigation activities to include drilling of borings, collection of soil samples, installation of wells, and collection of groundwater samples, all within IEPA approved guidelines. The final report of early action activities detailed the work performed. No work was performed outside site investigation guidelines was within acceptable IEPA LUST Fund reimbursement requirements.
- 3. By letter dated May 24, 2010, Midwest submitted a Site Investigation Budget Amendment, seeking approval in the amount of \$7,890.65, which was the amount reasonably

and necessarily expended to complete the work on the project. A true and correct copy of that Budget is attached hereto as Exhibit A.

- 4. By letter dated July 29, 2010, the IEPA requested more information regarding the May 24, 2010 budget amendment. That correspondence is attached as Exhibit B.
- 5. Midwest Environmental followed up with their letter dated August 24, 2010, breaking down the issues presented in the July 29, 2010 letter. That correspondence is attached as Exhibit C.
- 4. By letter dated November 30, 2010, the IEPA rejected the Budget submitted on May 24, 2010. A true and accurate copy of the November 30, 2010 letter and attachments is attached hereto as Exhibit D. That letter was designated as a final and appealable order.

<u>ARGUMENT</u>

The IEPA rejected the Budget based upon the reasons stated on Attachment A to the denial letter. Gas & Mini Mart and Midwest disagree with these determinations, and affirmatively state that the reimbursement amounts expended were reasonably, customary, and necessary for the proper completion of the project and site closure. Specifically, all of the costs listed on Exhibit A were actually and legitimately expended and performed. Additionally, the scope of the additional work performed was within the guidelines pre-approved by the IEPA.

CONCLUSION

For all of the foregoing reasons, Gas & Mini Mart respectfully requests a hearing in this matter, which will provide it the opportunity to establish the propriety of the costs, and that the Final Decision be reversed or modified by increasing and accepting the budget as proposed in Exhibit D, thereby allowing payment of the approved budget in the amount of \$7,890.65.

Respectfully submitted,

Gas & Mini Mart, Petitioner

Robert M. Riffle

Its Attorney

ROBERT M. RIFFLE Elias, Meginnes, Riffle & Seghetti, P.C. 416 Main Street, Suite 1400 Peoria, IL 61602 (309) 637-6000 610-950

CERTIFICATE OF SERVICE

The undersigned certifies that on December 2 , 2010, a copy of the foregoing document was served upon each party to this case by

| \ | Enclosing a true copy of same in an envelope addressed to the attorney of record of each party as listed below, with first class postage fully prepaid, and depositing each of said envelopes in the United States Mail at 5:00 p.m. on said date. |
|--------------|--|
| | Personal delivery to the attorney of record of each party at the address(es) listed below |
| | Facsimile transmission with confirmation by United States Mail |
| | Via Federal Express - Express Package Service - Priority Overnight |

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

Illinois Environmental Protection Agency 1021 North Grand Avenue East PO Box 19276 Springfield, IL 62794-9276

Artish. Aifs

Robert M. Riffle Elias, Meginnes, Riffle & Seghetti, P.C. 416 Main Street, Suite 1400 Peoria, IL 61602 (309) 637-6000 610-950

Midwest Environmental Consulting & Remediation Services Inc.

22200 Illinois Route 9 • P.O. Box 614
Tremont, IL 61568-0614

Phone: (309) 925-5551 • Fax: (309) 925-5606

May 24, 2010

Mr. Wayne Zuehlke
Illinois Environmental Protection Agency
Bureau of Land — #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

RE: LPC # 1130955035 - McLean County

Normal/Gas & Mini Mart 315 West Beaufort Street Incident # 20031596 LUST Technical File

Dear Mr. Zuehlke:

Attached please find a budget amendment for costs incurred during site investigation activities. The costs included in the attached budget were incurred between September 2004 and May 2007. A significant portion of the costs were incurred under the Public Act (June 2002) but not under 35 Ill. Admin. Code 734 (Dec 2005). These costs were not included in the Site Investigation Actual costs presented in the Site Investigation Complete Report because they did not fit into the 734 process.

These costs were incurred during site investigation activities completed by a project manager no longer employed by Midwest Environmental Consulting & Remediation Services, Inc. At the time, several offsite borings were proposed by MECRS and approved by the IEPA. Significant personnel time was spent to researching and contacting property owners.

Additional personnel costs were also incurred in 2009 to prepare the site investigation completion report (SICR). These costs were not included in the SICR because they had not yet been invoiced at the time the SICR was prepared.

Please review and approved the additional site investigation costs. If you have any questions, please contact our office at the number above.

Sincerely,

Midwest Environmental Consulting & Remediation Services, Inc.

Penny Silzer Sr. Geologist



BUDGET AND BILLING FORM FOR LEAKING UNDERGROUND STORAGE TANK SITES

SITE INFORMATION Site Name: Former Normal Gas & Mini Mart Site Address: 315 West Beaufort City: Normal Zip: 61761 County: McLean IEPA Generator No.: 1130955035 20031596 IEMA Notification Date: October 30, 2003 IEMA Incident No: Date this Form was Prepared: May 21, 2010 This form is being submitted as a: Budget Proposal X Budget Amendment (Budget Amendments must include only the costs over the previous budget) Amendment Number: 1 Billing Package for costs incurred pursuant to 35 Illinois Administrative Code (IAC), Part 732 ("new program) Name(s) of report(s) documenting the costs requested: SIP & Budget 10/14/04 SICR 8/14/09, Reim 3/1/04, Reim 10/1/04, Reim 10/7/09 Date(s): This form is being submitted for the Site Activities indicated below (check one): Early Action Low Priority Corrective Action High Priority Corrective Action

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

A-1

IL 532-2263 LPC 494 Rev. 2/99

Other (indicate activities):

This form must be submitted in duplicate.

The Agency is authorized to require this information under 415 ILCS 5/1. Disclosure of this information is required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder. This form has been approved by the Forms Management Center.

If eligible for reimbursement, where should reimbursement checks be sent? Please note that only owners or operators or USTs may be eligible for reimbursement. Therefore, payment can only be made to an owner or operator.

| Pay to the order of: Normal Gas & Mini Mart | | | | | | | |
|---|--------------------------|--------------------------|-------------|-----------------------|---|--|--|
| Send in care of: | Mr. Jasbir Dhillon | | | | | | |
| Address: | 315 West Beaufort Street | | | | | | |
| City: | Vormal | State: IL | Zip: | 61761 | _ | | |
| | ock company of | the owner or operato | | | operator; any subsidiary, any parent, subsidiary | | |
| Fewer than 101: X 101 or more: | | | | | | | |
| Number of USTs have been remove | _ | 2 (Number of l | USTs inclu | ided USTs presently | at the site and USTs that | | |
| Number of incide | nts reported to | IEMA:1 | | | | | |
| Incident Numbers | assigned to the | e site due to releases | from UST: | s: <u>2</u> | 0031596 | | |
| Please list all tank | cs which have e | ever been located at the | ne site and | are presently located | at the site: | | |
| Product Stored | Size (gallons) | Did U bave a re | | Incident No. | Type of Release | | |
| gasoline | 10,000 | Yes | No | 20031596 | spills/overfills/piping | | |
| gasoline | 10,000 | Yes | No | 20031596 | spills/overfills/piping | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |
| | | Yes | No | | | | |

B. PROPOSED BUDGET SUMMARY AND BUDGET TOTAL

| 1. Investigation Costs: | \$0.00 |
|-------------------------------------|-------------|
| 2. Analysis Costs: | \$0.00 |
| 3. Personnel Costs: | \$11,332.00 |
| 4. Equipment Costs: | \$95.80 |
| 5. Field Purchases and Other Costs: | \$0.00 |
| 6. Handling Charges: | \$0.00 |
| TOTAL PROPOSED BUDGET = | \$11,427.80 |

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), of maintenance of The above list is not inclusive of all possible tasks. | | | | |
|--|--|--|--|--|
| | o March 1, 2006 and the Maximum Rate Sheets | | | |
| Project Manager : 19 Andrew Fetterolf | hours x \$78.00 per hour = \$1,482.00 | | | |
| Task to be performed for the above hours: | Pile Review, Drafting, SIP & Budget | | | |
| Sr. Project Manager : 44.5 Allan Curtis | hours x\$95.00 per hour =\$4,227.50 | | | |
| Task to be performed for the above hours: | SIP & Budget, IEPA Response, site recon, Off-site access Research & Agreements, reimbursement preparation | | | |
| Sr. Env. Manager : 15.5 Allan Green | hours x \$98.00 per hour = \$1,519.00 | | | |
| Task to be performed for the above hours: | Site Investigation, IEPA Contact, Bonds, reports | | | |
| Reimbursement Manager : 0.5 Gave Lynn Green | hours x\$55.00 per hour =\$27.50 | | | |
| Task to be performed for the above hours: | reimbursement forms | | | |
| Admin/Clerical : 8.16 | hours x \$42.00 per hour = \$342.72 | | | |
| Gaye Lynn Green Task to be performed for the above hours: | format, finalize, copy, bind and submit all reports reimbursements and correspondence | | | |
| Sr. Professional Engineer : 3.5 | hours x \$125.00 per hour = \$437.50 | | | |
| Dale Bennington Task to be performed for the above hours: | review and certify reports and budgets | | | |
| Pre | March 1, 2006 Costs = | | | |
| Personnel Costs July 1, 2006 to June 30, | 2007 | | | |
| Sr. Proj. Manager : 2.75 Penny Silzer | _hours x\$98.00 per hour =\$269.50 | | | |
| Task to be performed for the above hours: | perform slug test, slug test analysis, off-site access with ISU, site recon | | | |
| Sr. Proj. Manger : 1 | _hours x\$98.00per hour =\$98.00 | | | |
| Allan Green Task to be performed for the above hours: | site investigation reports | | | |
| Personnel Costs July 1, | 2006 to June 30, 2007 = \$367.50 | | | |
| Personnel Costs July 1, 2009 to June 30, | | | | |
| Sr. Proj. Manager : 22.86 | 2010 | | | |
| Penny Silzer | 2010 . hours x \$98.00 per hour = \$2,240.28 | | | |
| Task to be performed for the above hours: | hours x \$98.00 per hour = \$2,240.28 | | | |
| Sr. Proj. Manger : 6 | hours x \$98.00 per hour = \$2,240.28 off-site access with ISU, site visit | | | |
| | | | | |
| Sr. Proj. Manger : 6 Allan Green Task to be performed for the above hours: Sr. Prof. Geologist : 1 | hours x \$98.00 per hour = \$2,240.28 off-site access with ISU, site visit hours x \$98.00 per hour = \$588.00 site investigation reports | | | |
| Sr. Proj. Manger : 6 Allan Green Task to be performed for the above hours: Sr. Prof. Geologist : 1 | hours x \$98.00 per hour = \$2,240.28 off-site access with ISU, site visit hours x \$98.00 per hour = \$588.00 site investigation reports hours x \$100.00 per hour = \$100.00 | | | |
| Sr. Proj. Manger : 6 Allan Green Task to be performed for the above hours: Sr. Prof. Geologist : 1 Penny Silzer Task to be performed for the above hours; | hours x \$98.00 per hour = \$2,240.28 off-site access with ISU, site visit hours x \$98.00 per hour = \$588.00 site investigation reports hours x \$100.00 per hour = \$100.00 | | | |

H. EQUIPMENT COSTS

All equipment used must be listed below in a time and materials format. Handling charges should not be

| added here; use Section J. | lo | | <u> </u> | T-4-1 |
|----------------------------|--------|-----------|-----------|---------|
| 71 | Own or | m: ** 1 | ** ** D . | Total |
| Equipment | Rent? | Time Used | | |
| Company Vehicle (per mile) | Own | 90 | \$0.38 | \$34.20 |
| Company Vehicle (per mile) | Own | 80 | \$0.52 | \$41.60 |
| Digital Cameral | Own | 1 | \$20.00 | \$20.00 |
| | _ | | | \$0.00 |
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| | | | | \$0.00 |
| | | | | \$0.00 |

| Total: \$95.80 |
|----------------|
|----------------|

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

Former Normal Gas & Mini Mart

Site Investigation

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.

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

I hereby certify that I intend to seek payment from the UST Fund for performing

activities at

| 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: Mr. Jasbir Dhillon Title: General Manager | | | | |
| Signature: Date: 6.9-10 | | | | |
| Subscribed and sworn to before me the Quay of (////), \DDD. | | | | |
| (Budget Proposals and Budget Amendments must be notarized when the certification is signed Williamillu. | | | | |
| TO THE STONE OF ESSION | | | | |
| Seal: | | | | |
| (Notary Public) OFFICIAL SEAL JENNIFER OLTMAN NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 9/10/13 P.E. P.G. Signature: Date: OFFICIAL SEAL JENNIFER OLTMAN NO. 196-000256 | | | | |
| NOTARY PUBLIC, STATE OF ILLINOIS NO. | | | | |
| P.E./PG: Penny Silzer | | | | |
| The state of the s | | | | |
| P.E.P.G. Signature: Date: Date: | | | | |
| Pate. Manual Community Com | | | | |
| 7,200 | | | | |
| Subscribed and sworn to before me the day of day of day of day. | | | | |
| (Budget Proposals and Budget Amendments must be notarized when the certifications of RIC AL SEAL | | | | |
| Seal: GAYE LYNN GREEN NOTARY PUBLIC - STATE OF ILLINOIS NOTARY PUBLIC - STATE OF ILLINOIS | | | | |
| (Notary Public) | | | | |
| The Agency is authorized to require this information under 415 ILCS 51. Disclosure of this information is | | | | |
| required. Failure to do so may result in the delay or denial of any budget or payment requested hereunder. This form has been approved by the Forms Management Center. | | | | |

Action



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829 James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

7007 0220 0000 0150 7816

JUL 2 9 2010

Gas and Mini Mart #147 Attn: Jasbir Dhillon 315 W. Beaufort Street Normal, IL 61761

Re: LPC #1130955035--McLean County

Normal / Gas & Mini Mart

315 West Beaufort

LUST Incident No. 20031596

LUST Technical File

Dear Mr. Dhillon:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan Budget (budget) submitted for the above-referenced incident. This budget, dated May 24, 2010, was received by the Illinois EPA on June 14, 2010. 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 rejected for the reason(s) listed in Attachment A (Sections 57.7(b)(3) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(b)).

All future correspondence must be submitted 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.

Please be advised that, pursuant to Public Act 96-0908, effective June 8, 2010, all releases of petroleum from USTs are subject to Title XVI of the Act, as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, and 35 Ill. Adm. Code 734.

800

3-7200

Attachment A

Re: LPC #1130955035--McLean County Normal / Gas & Mini Mart 315 West Beaufort LUST Incident No. 20031596 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).

1. Pursuant to Sections 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b), the associated budget is rejected for the following reasons:

The Illinois EPA has not approved the plan with which the budget is associated. Until such time as the plan is approved, a determination regarding the associated budget—i.e., a determination as to whether costs associated with materials, activities, and services are reasonable; whether costs are consistent with the associated technical plan; whether costs will be incurred in the performance of corrective action activities; whether costs will not be used for corrective action activities in excess of those necessary to meet the minimum requirements of the Act and regulations, and whether costs exceed the maximum payment amounts set forth in Subpart H of 35 Ill. Adm. Code 734—cannot be made (Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.510(b)).

2. The budget includes costs for Personnel, which exceed the minimum requirements necessary to comply with the Act. Costs associated with site investigation and corrective action activities and associated materials or services exceeding the minimum requirements necessary to comply with the Act are not eligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o).

In October of 2004, the Illinois EPA received a Site Investigative Plan which was modified and the budget approved on December 8, 2004. The budget referenced in this letter dated May 24, 2010 and received by the Illinois EPA on June 14, 2010 appears to duplicate these costs which have already been approved.

Further justification of the budget is required by the Illinois EPA. Additional justification must include but not be limited to the following:

- 1. How the activities are different and required beyond those activities approved in previous approved budgets.
- 2. Provide invoices on the work performed.
- 3. Provide dates and times the activities were performed.
- 4. Provide names of who performed the activities, including the reasons why the activities were required.

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

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

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

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

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

Midwest Environmental Consulting & Remediation Services Inc.

22200 Illinois Route 9 • P.O. Box 614 Tremont, IL 61568-0614 Phone: (309) 925-5551 • Fax: (309) 925-5606

August 24, 2010

Mr. Wayne Zuchlke
Illinois Environmental Protection Agency
Bureau of Land — #24
LUST Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

RE: LPC # 1130955035 - McLean County Normal/Gas & Mini Mart 315 West Beaufort Street

> Incident # 20031596 LUST Technical File

Dear Mr. Zuehlke:

We are in receipt of your letter dated July 29, 2010 concerning the Site Investigation Budget Amendment for the subject site dated May 24, 2010. This letter has been prepared to address the issues presented in your letter:

1. The IEPA has not approved the plan and therefore cannot approve the budget.

The plan dated October 25, 2004 for the work completed was approved by the IEPA on December 28, 2004. The additional costs requested in the budget amendment dated May 24, 2010 are associated with tasks proposed in the original Site Investigation Plan approved by the IEPA. On page 4 of the SIP, it states that personnel time is included to obtain off-site access. The majority of the additional personnel time and personnel costs requested are the result of efforts to obtain off-site access to five off-site properties.

Costs for obtaining off-site access were listed under Sr. Environmental Hydrogeologist in the budget and were listed along with many of the tasks required to complete the site investigation. Although the previous MECRS project manager stated that significant personnel time was needed for off-site access, it appears that he did not account for it in the budget.

A per task breakdown of the budget approved by the IEPA is presented in Attachment A.

2. The budget includes costs for Personnel which exceed the minimum requirements of the act and costs appear to be duplicate costs which have already been approved.



Efforts have not been duplicated at this site. The following provides a chronological breakdown of the work performed and the names of those who performed them:

September 14 through October 25, 2004. (before the IEPA maximum rate sheets and designated titles)
Preparation of the Site Investigation Plan

Project Manager – Andrew Fetterolf – file review, site mapping, drafting = 19 hours

Sr. Project Manager – Allan Curtis – Site Investigation plan and budget = 20 hours

Reim Manager – Gaye Lynn Green – prepare reimbursement forms = .5 hours

Admin/Clerical – Gaye Lynn Green – format, finalize, submit correspondence = 7.38 hours

Professional Engineer – Dale Benningfield – review and certify SIP & Budget = 3.5 hours

Sr. Environmental Manager = Allan Green – Site Investigation Plan and Budget = 4.5 hours

November 9, 2004 through October 15, 2005 (before the EPA maximum rate sheets and designated titles)

Personnel time was used during this time to obtain off-site access to six neighboring properties: Illinois State University, Town of Normal, Dominos Plzza, Hank's Hair, Fred Wollrab, and Chicago and Alton Railroad. Access to private off-site property required site visits, property owner research letters to property owners and phone calls. Access to public right-of-ways required establishing and maintaining contact with the appropriate public entity representative and acquisition of permits and bonds. This work was completed at a time when property records were not readily available on-line as they are now and required substantial time for determination of property owners and contact information. Personnel time was also expended during this time period to obtain permission from the IEPA to collect groundwater samples from behind the building with the GeoProbe rather than well installation due to the limited space behind the building.

Sr. Environmental Manager - Allan Green - permits and bonds = 12.5 hours

Sr. Project Manager – Allan Curtis – site visits to scope out well locations, property owner research, letters and phone calls to property owners, information for bonds and permits, EPA correspondence for GeoProbe sampling = 72.75 hours

Admin/Clerical - Gaye Lynn Green - correspondence = .78 hours

October 15, 2005 to December 11, 2008 (also included in off-site access)

Personnel time used during this time was used to maintain the permits and bonds obtained by during the previous time period.

Sr. Environmental Manager - Todd Birky - permits and bonds = 15 hours (Sr. Project Manager)

January 23, 2009 through June 22, 2009

Personnel time during this time period was used to complete the site investigation as developed by the previous MECRS project manager. This included contacting the off-site property owners for scheduling work and notification of pending work, but, did not duplicate the effort to obtain permission to access the property.

Sr. Environmental Manager - Allan Green - planning, contractors - 41.50 hours

Sr. Environmental Geologist – Penny Silzer – site investigation, drilling, logging, sample collection, slug tests, survey wells, develop wells, groundwater samples, maps, logs, tables – \$1.05 hours

Reimbursement Manager - Gaye Lynn Green - reimbursement forms - 1.25 hours

April 14, 2009 through August 14, 2009

Sr. Environmental Manager - Allan Green - Site Investigation Completion Report - 8.25 hours

Sr. Environmental Manager - Penny Silzer - Site Investigation Completion Report - 34.86 hours

Sr. Geologist, PG - Penny Silzer - Site Investigation Completion Report - 1 hour

There has been no duplication of efforts. The general scope of work did not change beyond that proposed in the SIP and approved by the IEPA. The work completed required more personnel time to complete than included in the original budget.

Costs incurred between September 14, 2004 and March 7, 2005 have not yet been submitted to the IEPA for reimbursement. Attachment A provides a per task breakdown of the approved personnel budget for the site investigation. Attachment B provides a per task breakdown of the personnel costs actually incurred for the site investigation. A budget amendment for the additional personnel time is included in Attachment C.

Pleas note, the personnel costs requested in the attached budget amendment are significantly reduced from the amount requested in the budget amendment May 24, 2010. Duplicate charges for personnel time were discovered on an invoice during the detailed review of the invoices required to complete this report. The error occurred during efforts to recover data from the crashed hard drive of the main computer in our office used for tracking time and accounting. The corrections have been made to invoice #5935. We regret any confusion this error may have caused. If you have any questions or need additional information, please contact our office at your earliest convenience.

Sincerely,

Midwest Environmental Consulting & Remediation Services, Inc.

Allan M. Green

all M Shew

President

Attachment A

Per Task Breakdown of Approved IEPA Budget

20031596

DEMA NO.

| g, personnel | | | | |
|---|---------------|----------------------------|-----------------------------------|--|
| All personnel costs that ere not included elsewhere in the biogest/billing form must be listed here. Costs must be listed per teste, and 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 assistation, corrective action, or early action), of maintenance of The above list is not inclusive of all possible tasks. | | | | |
| Per Tank Brenkdown of the Budget dated | October 14 | , 2004 and approved by | the Agency on December 8, 2004. | |
| STP Preparation Sr. Project Manager; 17 | howa x | \$95,00 per hour = | \$1,613,00 | |
| Task to be performed for the above hours: | report pro | parallon, SIP & Budget | | |
| Certified PB : 4 | _ hours x | \$119.00 per hour - | \$476.00 | |
| Task to be performed for the above hours: | rapart pre | paration, reimburgement | | |
| Sr. Env. Marlager : 11 | _ houze x | \$98.00 per hour = | \$1,078.00 | |
| Task to be performed for the above hours: | report pre | peration | | |
| Admin/Clerical ; 6 | hours x | \$42.00 per hour = | \$252.00 | |
| Task to be performed for the above hours: | report pre | perstion | | |
| Env. Hydrogeologist : 12 | hours x | 598.00 per hour = | \$1,176.00 | |
| Task to be performed for the above hours: | analyzis er | nd reports | | |
| | | | | |
| nvestigátion Planning, Off-elte access, per | rmite bandu | Subt | otal \$4,597.00 | |
| Sr. Env. Menager : \$.5 | _ | \$58.00 per hour == | \$539.00 | |
| Task to be performed for the above hours: | _ | · | 2037.00 | |
| 1 she to be hearenised the time should under | bracuttist a | us, mapocitons | | |
| | | Supi | 90,1E62 (a)o | |
| ite Investigation Sr. Bov. Hydrogeologist : 60 | _ hours x | \$98.00 per hour = | \$5,880.00 | |
| Task to be performed for the above hours: | investigati | on, borings wells, survey, | alug test analysis | |
| Environmental Technician : 24 | hours x | \$65,00 per hour = | \$1,560,00 | |
| Task to be performed for the above hours: | _ | is, survey, develop, sampl | o wells, insitu bydra, Cond. Test | |
| Env. Hydrogeologist : 12 | | | | |
| Task to be performed for the above hours: | - | | | |
| Sr. Env. Manager : 5.5 | | \$98.00 per hour = | \$539.00 | |
| Task to be performed for the above hours: | _ | | 9555.00 | |
| TASK TO DO POLEMENTE TO HIS STORY OF THOSE ST | District B at | | | |
| | | Subte | oral \$9,155,00 | |
| reparation of SYCR Sr. Project Manager : 15 | _hours x | \$95,00 per hour= | \$1,425.00 | |
| Task to be performed for the above hours: | report prop | aretion SICR | | |
| | hours x | \$119.00 per hour = | \$476.00 | |
| | 7 | | | |

| Sr. Geologist (PG) | :_ | | _ hours × | _\$100.00 | _per hour = | \$1,800.00 |
|--|------------|---------------------|-------------|----------------|-------------|------------|
| (MECRS Rembusement | | | | | _ | |
| Task to be performed for I | be abov | é boor s | report pre | peration, SICI | <u> </u> | |
| Reimborsement Manager | <u>:</u> _ | 10 | _houra x | \$55.00 | Det pont = | \$550,00 |
| Task to be performed for t | ho abov | nows: | reinburse | ment preparat | laa | |
| Admin/Clerical | _: _ | 6 . | pours x | \$42.00 | per hour = | \$252.00 |
| Task to be performed for the | he abovi | hours: | report pres | arallon, SICI | ι | |
| Principal | _: _ | 5 | _hours x | \$120.00 | per hour = | \$600,00 |
| Task to be performed for the above hours: project oversight, planning, reports | | | | | | |
| | | | | | Subtotal | \$5,103.00 |
| | T | OTALP | ersonne: | L COSTS: | \$19,786.00 | |

Attachment B

Per Task Breakdown of Actual Personnel Costs

| IEMA NÒ. | 20031596 |
|-------------|---------------|
| TEMARY IAC. | WACAN 1 2 2 A |

| Ġ. | w | m | n | 2 | ^ | 3.5 | N.T | -3 | r |
|-----|----|---|---|---|---|-----|-----|------------|---|
| Lz. | 4. | ь | п | 3 | u | HΝ | ŧ٦ | B . | ı |

| • | | | | _ | | | |
|--|--------------------------|--|--|--|--|--|--------------------------|
| All personnel costs that are n | ių tor | cluded | dscwbare i | in the budget/b | ध्याय तास्त्री दुवरोधि | at be listed here. (| Costs daust |
| be lined per task, not person | nel i | урс. Ть | c following | g are some exi | moles of easies: | Drafting, data co | lloction, |
| plan, report or budget prepar | aciot | for_ | (_ | , ske desille | ition work plan | n, 45 day report, or | • |
| high priority corrective actio | ա բո | oget), s | impling, fi | ery oversigni g | ¥r(1, | e. orumog/well | |
| installation, corrective action | r or | early ac | tion), of w | TO SOMEOUS OF | JA | e what is not | |
| inclusivo of all possible tasks | ٤. | | | | | | |
| Actual Site Investigation C | 2120 | Brénk | lown per (| aek. | | | |
| 91P Preparation (PRE Me | reb | 1, 1006 |) | , | | | |
| Project Manager | | 19 | posta x | \$78.00 | per hour = | \$1,482.00 | |
| Andrew Petterolf | | | - | | | | |
| Task to be performed for the | aboy | e poniz | SICR & | 3 urdget | | | |
| 0- N-1 \ | | 20 | hana u | ኖ ዕና ሰ ብ | nier hauer = | \$1,900.00 | |
| Sr. Project Manager | | | pour A | . \$35,000 | | 41,700.00 | |
| Allain Cuitlise Task to be performed for the | abov | e hourse | SICRA | hidect ' | | | |
| 1834 III de berminée tou dio | 4001 | 0 110-12 | | | | | |
| Manager | _: | .0.5 | hours x | \$55,00 | per hour = | \$27.50 | |
| Guyo Lynn Green | | | | _ | | | |
| Task to be performed for the | ΔÞ0V | e pome: | SICR & I | Bodget | | | |
| . 5 (-204) | | ~ ni | Laura | 645 00 | per hour = | \$309.96 | |
| Admin/Clerical | _; · | /,36 | hours x | \$42.00 | _ber mont | 4303530 | |
| Gaye Lynn Green Task to be performed for the | ahov | e house | SYCR & I | and pet | | | |
| 1931: 10 ne herrormen ror me | 400* | Ç NÇIJA. | Di Care Co I | 30000 | | | |
| Professional Engineer | _: | 3.5 | hours × | \$125.00 | _pcr hour = | \$437.50 | |
| Date Bennington | | | | , | | | |
| Task to be performed for the | apov | e ponta: | SICR & I | Budget | | | |
| Sr. Environmental Manager | | 45 | hours w | 00.892 | per hour = | \$441,00 | |
| | | 4,3 | Trong 4 V | 270,90 | _ [/4 12/21 | | |
| Allan Green | | | | | | | |
| | врол | e hours: | SICRAI | Budget | | | Budgeted |
| | врол | e hours: | SICR & I | Budget | | | |
| | врол | e hours: | SICREI | Budget | Subtofal | \$4,59 7,96 | Budgeted . \$4,597.00 |
| Task to be performed for the | | | | | | | |
| Task to be performed for the | | | | | | | |
| Task to be performed for the | Y-4(1) | e access | | honds, etc. (P | | | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alist Green | | 12.50 | , permits, bours x | tonds, etc. (P | re March 200 | 16) | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alist Green | | 12.50 | , permits, bours x | tonds, etc. (P | re March 200 | 16) | |
| Task to be performed for the forestigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the | upov — L-सा | 12.50 | , permits, hours x permits, t | \$98.00 | re March 200 | \$1,225.00 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alian Green Task to be performed for the Sr. Project Manager | upov — L-सा | 12.50 | , permits, hours x permits, t | \$98.00 | re March 200 | \$1,225.00 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss | =; apov =; L-₹Ω | 12.50 to hours: | bours x permits, t | \$98.00 \$98.00 \$95.00 | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss | =; apov =; L-₹Ω | 12.50 to hours: | hours x permits, t | \$98.00 \$98.00 \$95.00 contact, agrees | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the | =; apov =; L-₹Ω | 12.50 to hours: | bours x permits, t | \$98.00 \$98.00 \$95.00 contact, agreen | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the Admin/Clerical Oayo Lyon Green | apov | 12.50 to hours: 72.5 to hours: 0.78 | hours x research, permits, 1 hours x | \$98.00 \$98.00 Seconds Seconds Seconds Seconds Seconds Seconds | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 phone calls | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the Admin/Clerical Oayo Lyon Green | apov | 12.50 to hours: 72.5 to hours: 0.78 | hours x research, permits, 1 hours x | \$98.00 \$98.00 Seconds Seconds Seconds Seconds Seconds Seconds | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 phone calls | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alian Green Task to be performed for the Sr. Project Manager Alian Curtiss Task to be performed for the Admin/Clerical Gaye Lyan Green Task to be performed for the Task to be performed for the | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x | \$98.00 S95.00 contact, agreements. \$42.00 | per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alist Green Task to be performed for the Sr. Project Manager Alist Curtiss Task to be performed for the Admin/Clerical Gayo Lyon Green Task to be performed for the Sr. Env. Hydrogeologist | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x | \$98.00 S95.00 contact, agreements. \$42.00 | per hour = | \$1,225.00 \$1,225.00 \$6,887.50 phone calls | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the Admin/Clerical Gayo Lyan Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x permits, t | \$98.00 \$95.00 contact, agreements \$42.00 conds | per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | S4,597.00 |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the Admin/Clerical Gayo Lyan Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x permits, t | \$98.00 \$95.00 contact, agreements \$42.00 conds | per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Allan Green Task to be performed for the Sr. Project Manager Allan Curtiss Task to be performed for the Admin/Clerical Gayo Lyan Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x permits, t | \$98.00 \$95.00 contact, agreements \$42.00 conds | per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | S4,597.00 |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alian Green Task to be performed for the Sr. Project Manager Alian Curtiss Task to be performed for the Admin/Clerical Gayo Lyan Green Task to be performed for dae Sr. Env. Hydrogeologist Todd Birky Task to be performed for the | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: | hours x permits, t hours x research, permits, t hours x permits, t | \$98.00 \$95.00 contact, agreements \$42.00 conds | per hour = per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clericsl Oayo Lyan Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Sr. Env. Hydrogeologist Todd Birky | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | bours x permits, t hours x research, permits, t hours x permits, t hours x | \$98.00 contact agreements \$42.00 conds \$98.00 conds | per hour = per hour = ments, letters, per hour = per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clericsl Gayo Lyan Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Sr. Env. Hydrogeologist Todd Eirky Task to be performed for the Site Investigation Sr. Env. Manager | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | hours x permits, t hours x research, permits, t hours x permits, t | \$98.00 contact agreements \$42.00 conds \$98.00 conds | per hour = per hour = menia, letters, per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clerical Oays Lynn Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Site Investigation Sr. Env. Manager Alian Green - Sr. Project Manager Alian Green - Sr. Project Manager | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | hours x permits, t hours x research, permits, t hours x permits, t hours x permits, t | \$98.00 \$98.00 \$95.00 \$95.00 \$42.00 \$98.00 \$98.00 | per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clerical Oays Lynn Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Site Investigation Sr. Env. Manager Alian Green - Sr. Project Manager Alian Green - Sr. Project Manager | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | hours x permits, t hours x research, permits, t hours x permits, t hours x hours x | \$98.00 \$98.00 \$95.00 \$95.00 \$42.00 \$98.00 \$98.00 | per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clerical Oays Lynn Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Site Investigation Sr. Env. Manager Alian Green - Sr. Project Manager Alian Green - Sr. Project Manager Task to be performed for the | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | bours x permits, t hours x research, permits, t hours x permits, t hours x permits, t hours x | \$98.00 contact agreements \$42.00 conds \$98.00 conds \$98.00 contact agreements \$42.00 conds | per hour = per hour = ments, letters, per hour = Subtots! per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 \$9,615.26 | S4,597.00 Budgeted |
| Allan Green - Sr. Project Mai Task to be performed for the Sr. Env. Hydrogeologist | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: | bours x permits, t hours x research, permits, t hours x permits, t hours x permits, t hours x | \$98.00 contact agreements \$42.00 conds \$98.00 conds \$98.00 contact agreements \$42.00 conds | per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 \$9,615.26 | S4,597.00 Budgeted |
| Task to be performed for the Investigation Planning, Of Sr. Env. Manager Alisn Green Task to be performed for the Sr. Project Manager Alisn Curtiss Task to be performed for the Admin/Clerical Oays Lynn Green Task to be performed for the Sr. Env. Hydrogeologist Todd Birky Task to be performed for the Site Investigation Sr. Env. Manager Alian Green - Sr. Project Manager Alian Green - Sr. Project Manager Task to be performed for the | abov | 12.50 to hours: 72.5 to hours: 0.78 to hours: 15 to hours: 41.50 to hours: | bours x permits, t hours x research, permits, t hours x permits, t hours x permits, t hours x permits, t hours x | \$98.00 contact, agreements \$42.00 conds \$98.00 contact, agreements \$42.00 conds \$98.00 contractors, no | per hour = outfications per hour = | \$1,225.00 \$6,887.50 phone calls \$32.76 \$1,470.00 \$9,615.26 \$4,067.00 | S4,597.00 Budgeted |

| • | | | | IEMA NO. | 20031596 |
|---|-----------------------|------------|-------------------|------------------|---------------------|
| Manager : | 1.25 hours x | \$55.00 | per hour = | \$68.75 | |
| Gaye Lynn Grown - Sr. Acot. To | chaiciaa | | | | |
| Task to be performed for the abo | ve hours: relatibuise | ment forms | | | Budgeted |
| | | | Subtatel | \$9,138.65 | 29,155.00 |
| Preparation of SICR | | | | | |
| Sr. Env. Hydrogeologist : | 34.86 hours x | \$98.00 | _per hour = | \$3,416.28 | |
| Task to be performed for the sho | ve hours: SICR pres | eretion | ` | _ | |
| Sr. Env. Manager | 8.25 hours × | \$98.00 | Dot pom = | \$808.50 | |
| Allen Green - St. Project Manag Task to be performed for the above | | noilera | | | |
| Sr. Geologist, PG: Penny Silzer - Sr. Geologist, PG | x errior 1 | \$100.00 | per hour = | \$100.00 | |
| Task to be performed for the above | | fication | | | |
| | | | | | Budgeted |
| | | | Subtotal | <u>54,324.78</u> | \$5,103.00 |
| | | | | Total | |
| | | | | Personnel | |
| | | | Personnel | Costa | Total Additional |
| | | | Costs | Approved In | Paraonnel Costs |
| | | | Totalı | Budget | Requested |
| | | | S27,676.65 | \$19,786.00 | \$7,890.65 <u>.</u> |

A. SITE INFORMATION

BUDGET AND BILLING FORM FOR LEAKING UNDERGROUND STORAGE TANK SITES

| | Former Normal Gas & Min | i Mart | |
|---------------------------------------|---|---|---------------------------------|
| Site Address: | 315 West Describert | City: Normal | |
| Zip; | 61761 | | |
| County: McLean | | IBPA Generator No.; | 1130955035 |
| IEMA Incident No: | 20031596 | TEMA Notification Date: | October 30, 2003 |
| Date this Form was | Prepared: | Augus! 18, 2010 | |
| This form is being s | ubmitted as a: | | |
| | Budget Proposal | | |
| <u>x</u> | Budget Amendment (Budge costs over the previous budg | f Amendments must include only the | |
| | Anicidment Numb | Der: 1 | |
| | | curred pursuant to 35 Illinois Adminis | trative |
| | Code (IAC), Part 732 ("new | hroftam) | |
| | | | SIP & Budget 10/14/04 |
| | Name(s) of report(s) do | | SIP & Budget 10/14/04 Date(s): |
| This form is being s | Name(s) of report(s) do | ocumenting the costs requested: 3/1/04, Reim 10/1/04, Reim 10/7/09 | |
| This form is being so Early Action | Name(s) of report(s) do SICR 8/14/09, Reim Shmitted for the Site Activities | ocumenting the costs requested: 3/1/04, Reim 10/1/04, Reim 10/7/09 | |
| Early Action | Name(s) of report(s) do SICR 8/14/09, Reim Shmitted for the Site Activities | ocumenting the costs requested: 3/1/04, Reim 10/1/04, Reim 10/7/09 indicated below (check one): | Daic(s); |

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

A-1

IL 532-2263 LPC 494 Rev, 2/99 This form must be submitted in duplicate.

The Agency is authorized to require this information under 415 ILCS 5/1. Disclosure of this information is required. Followed to do so may result in the delay or denial of any budget or payment requested hereunder. This form has been approved by the Forms Management Center.

| ~~· | | 20031596 |
|-------------|-------|-------------|
| | | |
| IEMA | nat i | 2101.11.270 |
| | 410. | 20001-7- |

| | | | | | ote that only owners or be made to an owner or | • |
|-----------------------------------|-------------------|-----------------------|--|----------------------|---|---|
| Pay to the order o | f: Normal Ga | s & Mini Mart | <u>. </u> | · · · · · | | |
| Send in care of: | Mr. Jasbir | Ohillon | | | | |
| Address: | 315 West <u>B</u> | Icaufort Street | | | | |
| City: 1 | Vormal | State: <u>IL</u> | Zip; | 61761 | _ | |
| parent or joint st | ock company | | | | operator, any subsidiary, any parent, subsidiary | |
| Fewer th | an 101: | <u>x</u> | 101 or mor | re: | | |
| Number of USTs have been remov | | 2(Number | of USTs inclu | ded USTs presently | at the site and USTs that | |
| Number of incide | ents reported t | o IBMA: 1 | _ | | | |
| Incident Number | s assigned to t | he site due to relea. | ses from USTs | ii <u>2</u> | 20031596 | |
| Please list all tani | ks which have | ever been located | at the site and | are presently locate | d at the site: | |
| Product Stored | Size (gallons) | | id UST a release? | Incident No. | Type of Release | |
| gasoline | 10,000 | Yes | No | 20031596 | spills/overfills/piping | |
| gasolina | 000,01 | Yes | No | 20031596 | spills/overfills/piping | |
| | • | Yes | No | | | |
| | | Yes | No | | | |
| | | Yes | Na | | | |
| | | Yes | No | | | |
| | | Yes | No | | | |
| | | Yes | No | | | |
| | | Yes | N۵ | | | |

TEMA No. 20031596

B. PROPOSED BUDGET SUMMARY AND BUDGET TOTAL

| 1. Investigation Costs: | \$0.00 |
|-------------------------------------|------------|
| 2. Analysis Costs: | \$0.00 |
| 3. Personnel Costs: | \$7,890.65 |
| 4. Equipment Costs: | \$0.00 |
| 5. Field Purchases and Other Costs: | \$0.00 |
| 6. Handling Charges: | \$0.00 |
| TOTAL PROPOSED BUDGET = | \$7,890.65 |

G. PERSONNEL

| All personnel costs that are not included else be listed per task, not personnel type. The for plan, report or budget preparation for high priority corrective action budget), simple installation, corrective action, or early action loctusive of all possible tasks. | Riowing are (i.e., sib ling, field o), of mainte | some examples of tasks: Due o destification work plan, 45 versight for (i.e. dri nance of The abo | fling, data colte day report, or iling/well we list is not | ets must scilon, |
|--|--|---|---|------------------------|
| Site Investigation Costs Incurred Prior i | iù March I, | , 2006 and the Maximum Re | | |
| Andrew Petterolf | _hours × | \$78.00 per hour == | \$1,482.00 | - |
| Task to be performed for the above hours; | SICR & | Budget | | - |
| Sr. Project Manager : 20 | _ ., | \$95.00 per hour = | \$1,900.00 | - |
| Task to be performed for the above hours; | SICR & I | Budget . | | |
| Sr. Say, Manager ; 4:5; | hours | | \$441.00 | - |
| Task to be performed for the above hours: | SICR & F | Budget | | - |
| Reimbursement Manager : 0.5 Gaye Lynn Green | hours × | \$55.00 per bour = | \$27.50 | - |
| Task to be performed for the above hours: | reimburse | ment forms | | - |
| Admin/Clerles1 : 7.38 Gaye Lynn Green | hours x | \$42.00 per hour = | \$309.96 | - |
| Task to be performed for the above hours: | | nelize, copy, bind and submit anchie and correspondence | all reports | - |
| Sr, Professional Engineer : 3.5 Dale Bennington | _ponıa × | \$125.00 per haut * | \$437.50 | - |
| Task to be performed for the above hours: | review an | d certify reports and budgets | | Dudgatad |
| | | | | |
| | | Subtotal \$4,597,5 | 8 | Budgeted \$4,597.00 |
| Investigation Planning, Off-site access, per | | s, etc (pre March 1, 2006) | _ | |
| Sr. Project Manager : 33.25 | pons x | | \$3,158.75 | |
| | гезевису" Троята х | a, etc (pro March 1, 2006) \$95.00 per hour = contacts, agreements, letters, | \$3,158.75 | |
| Sr. Project Manager : 33.25 Allian Circliss Task to be performed for the above hours: | research, calls, pen | a, etc (pro March 1, 2006) \$95.00 per hour = contacts, agreements, letters, hits & bonds | \$3,158.75 phone | |
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| Allan Green, Sr. Boy. Manager | | • | | |
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| Penny Silzer, Sr. Pnv. Hydrogeologist | | | | , |
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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 |
|--|
| Action activities at Former Normal Gas & Mini Mart |
| 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, canoples). |
| 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: Mr. Jasbir Dhillon Title: General Manager |
| Signature: Date: 10-6-10 |
| Subscribed and sworn to before me the GMA day of Company of Compan |
| Subscribed and sworn to before me the 6th day of Otobo, 2013 |
| (Budget Proposals and Budget Amendments must be notorized when the certification is signed.) |
| OFFICIAL SEAL SEAL SEASON WILLIAM |
| (Notary Public) NOTARY Public, STATE OF ILLINOIS NOTARY Public, STATE OF ILLINOIS NOTARY Public, STATE OF ILLINOIS |
| MY COMMISSION EXPIRES 6/30/12 PENNY L |
| SILZER E |
| P.B./PG: Penny Silzer Scal: |
| 130-000286/8 |
| |
| P.E.P.G. Signature: |
| |
| Subscribed and sworn to before me the tay of the day of |
| (Budget Arpposals and Budget Amendments must be notorized when the certification to be and budget Amendments must be notorized when the certification to be a second to be |
| OFFICIAL SEAL GAYE LYNN GREEN |
| Soal: NOTARY PUBLIC STATE OF ILLINOIS } |
| (Notary Public) My COMMISSION EXPIRES:01/02/13 |
| The Agency is authorized to require this information under 415 ILCS 57. Distribute of this information is required. Fallure to do so may result in the delay or denial of any budget or payment requested hereunder |
| This form has been approved by the Porous Management Center. |



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829 James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR CERTIFIED MAIL

21**7**/782-6762 NOV **3 0** 2010

1017 4447 1000 0585 2007

Gas and Mini Mart #147 Attn: Jasbir Dhillon 315 W. Beaufort Street Normal, IL 61761

Re: LPC #1130955035--McLean County

Normal / Gas & Mini Mart

315 West Beaufort

LUST Incident No. 20031596

LUST Technical File

Dear Mr. Dhillon:

13,

The Illinois EPA has reviewed the Site Investigation Actual Cost Stage 3 Budget (budget) submitted for the above-referenced incident. This budget, dated Aug 24, 2010, was received by the Illinois EPA on October 12, 2010. 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 rejected for the reason(s) listed in Attachment A (Sections 57.7(a)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 734,630 and 734.655).

All future correspondence must be submitted 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.

Please be advised that, pursuant to Public Act 96-0908, effective June 8, 2010, all releases of petroleum from USTs are subject to Title XVI of the Act, as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, and 35 III. Adm. Code 734.

EXHIBIT



Page 2

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

If you have any questions or need further assistance, please contact Wayne Zuehlke at 217/557-6937.

Sincerely

Harry A. Chappel, P.E.

Unit Manager

Leaking underground Storage Tank Section Division of Remediation Management

Bureau of Land

HAC:WZ

Attachment: Attachment A

Appeal Rights

cc: Midwest Environmental Consulting & Remediation Services

Leaking UST Claims Unit

BOL File

Attachment A

Re: LPC #11309550354-McLean County
Normal / Gas & Mini Mart
315 West Beaufort
LUST Incident No. 20031596
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).

1. The budget includes costs for Personnel, which exceed the minimum requirements necessary to comply with the Act. Costs associated with site investigation and corrective action activities and associated materials or services exceeding the minimum requirements necessary to comply with the Act are not eligible for payment from the Fund pursuant to Section 57.7(c)(3) of the Act and 35 Ill. Adm. Code 734.630(o).

In addition, the budget includes costs that lack supporting documentation. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(cc). Since there is no supporting documentation of costs, the Illinois EPA cannot determine that costs will not be used for activities in excess of those necessary to meet the minimum requirements of Title XVI of the Act therefore, such costs are not approved pursuant to Section 57.7(c)(3) of the Act because they may be used for site investigation or corrective action activities in excess of those required to meet the minimum requirements of Title XVI of the Act.

In October of 2004, the Illinois EPA received a Site Investigative Plan which was modified and the budget approved without modification on December 8, 2004. The budget dated August 24, 2010 and received on October 12, 2010 are for costs already approved in the previous budget. The Illinois EPA requires justification for increasing the amounts already approved in a previous budget.

Further justification of the budget is required by the Illinois EPA. Additional justification must include but not be limited to the following:

1. How are the activities different and required beyond those activities already approved in the previous budgets?

WSZ\

Appeal Rights

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board pursuant to Sections 40 and 57.7(c)(4) of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

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

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

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

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