





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

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
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: June 10, 2004

This filing submitted on recycled paper.



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

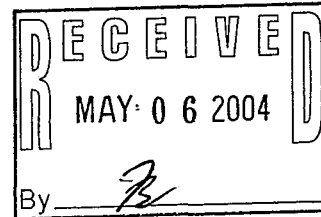
217/782-6762

CERTIFIED MAIL

7002 3150 0000 1257 3341

MAY 04 2004

Commonwealth Edison  
2601 North 21<sup>st</sup> Road  
Marseilles, IL 61341



Re: LPC #0990505001 – La Salle County  
Marseilles/Commonwealth Edison  
2601 North 21<sup>st</sup> Road  
LUST Incident No. 992477  
LUST Technical File

Dear Sir/Madam:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Site Classification Completion Report submitted for the above-referenced incident. The Illinois EPA received this report, dated December 30, 2003, on January 5, 2004. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

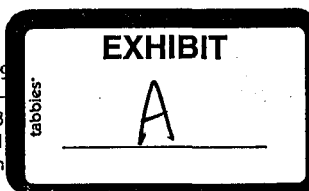
The Site Classification Completion Report is rejected for the reasons listed in Attachment A (Section 57.7(b)(1) of the Act; 35 Ill. Adm. Code 732.309(b) and 732.503(b)).

Pursuant to 35 Ill. Adm. Code 732.301, a Site Classification Completion Report must be submitted within 120 days of the date of this letter 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.

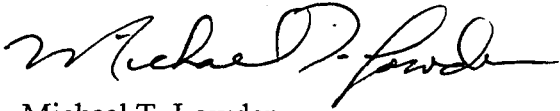
An underground storage tank system owner or operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are attached.



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

Sincerely,



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

MTL:TLB:H:\Projects\Com Ed\992477\Letter7.doc

Attachments: Attachment A (Report Rejection Attachment)  
Table 1  
Appeal Rights

c: LFR Levine-Fricke  
Division File

Attachment A

Re: LPC #0990505001 – La Salle County  
Marseilles/Commonwealth Edison  
2601 North 21<sup>st</sup> Road  
LUST Incident No. 992477  
LUST Technical File

1. It appears that many of the acceptable detection limits were not achieved as a result of project manager error. Either the LFR Levine-Fricke project manager provided incorrect detection limit information to the laboratory or the laboratory project manager failed to verify the reporting limits against the acceptable detection limits listed in 35 Illinois Administrative Code Part 742 (TACO). This is unacceptable.
2. The Illinois EPA recognizes that dry weight corrections may result in variances in the sample specific reporting limits; however, the dry weight corrected reporting limit shall not exceed the acceptable detection limit.
3. The acceptable detection limits shall be based on the inhalation, ingestion and soil component of groundwater ingestion exposure pathways. Voluntary deed restrictions are not allowed under Method 2 for site classification.
4. The Site Classification Completion Report indicates that, in some instances, special arrangements could have been made prior to analysis to ensure that the acceptable detection limits could have been met; however, such arrangements were not made. This is unacceptable.
5. The Site Classification Completion Report indicates that the detection limits for n-Nitrosodi-n-propylamine (0.0018 mg/kg) and hexachlorobenzene (0.00006 mg/L) are not achievable by EPA SW-846 Method 8270C. This is unacceptable.
6. The Site Classification Completion Report indicates that the detection limit for TCLP Cadmium (0.005 mg/L) could have been achieved; however, the sample digestate was analyzed at 10x dilution due to matrix interference from sodium present in the TCLP extract. This is unacceptable.
7. The Site Classification Completion Report indicates that the acceptable detection limits for vinyl chloride and 1,3-dichloroprylene could have been achieved had a 25 mL purge been used; however, a 5 mL purge was used. This is unacceptable.
8. The Illinois EPA is still concerned about detection limits (which were exceeded), contaminants of concern (which were left out of the analyses), soil samples (which exceeded the Tier 1 objectives) and the soil sample (which was not collected at the depth of greatest photo ionization detector (PID) reading above the saturated zone). See the attached table (Table 1) for a detailed listing of the Illinois EPA's concerns.

Table 1

Soil Boring/Well ID	Contaminant of Concern	Media of Concern	Reason for Concern
SB-1	1,3-dichloropropylene	Soil	ADL
SB-1	hexachlorobenzene	Soil	NA
SB-1	n-Nitrosodi-n-propylamine	Soil	ADL
SB-1	benzo(a)pyrene	Soil	ADL
SB-1	dibenzo(a,h)anthracene	Soil	ADL
SB-2	1,3-dichloropropylene	Soil	ADL
SB-2	hexachlorobenzene	Soil	NA
SB-2	n-Nitrosodi-n-propylamine	Soil	ADL
SB-2	benzo(a)pyrene	Soil	ADL
SB-2	dibenzo(a,h)anthracene	Soil	ADL
SB-2	arsenic	Soil	> Tier 1 (BG)
SB-3	1,3-dichloropropylene	Soil	ADL
SB-3	hexachlorobenzene	Soil	NA
SB-3	n-Nitrosodi-n-propylamine	Soil	ADL
SB-3	benzo(a)pyrene	Soil	ADL
SB-3	dibenzo(a,h)anthracene	Soil	ADL
SB-4	1,3-dichloropropylene	Soil	ADL
SB-4	hexachlorobenzene	Soil	NA
SB-4	n-Nitrosodi-n-propylamine	Soil	ADL
SB-4	benzo(a)pyrene	Soil	ADL
SB-4	dibenzo(a,h)anthracene	Soil	ADL
VS-3 (1-3)	n-Nitrosodi-n-propylamine	Soil	ADL
VS-3 (3-5)	n-Nitrosodi-n-propylamine	Soil	ADL
VS-10	n-Nitrosodi-n-propylamine	Soil	ADL
SB-5	n-Nitrosodi-n-propylamine	Soil	ADL
SB-5	TCLP cadmium	Soil	ADL
SB-11	n-Nitrosodi-n-propylamine	Soil	ADL
SB-11	TCLP cadmium	Soil	ADL
SB-12	n-Nitrosodi-n-propylamine	Soil	ADL
SB-13	n-Nitrosodi-n-propylamine	Soil	ADL
SB-13	TCLP cadmium	Soil	ADL
SB-14	n-Nitrosodi-n-propylamine	Soil	ADL
SB-15	n-Nitrosodi-n-propylamine	Soil	ADL
SB-15	TCLP cadmium	Soil	ADL

ADL - Acceptable Detection Limit Exceeded

NA - Not Analyzed

> Tier 1 (BG) - Tier 1 Objective and Background Objective Exceeded

> Tier 1 - Tier 1 Objective Exceeded

> PID - Not Sampled at the Depth of Greatest PID above the Saturated Zone

Table 1

Soil Boring/Well ID	Contaminant of Concern	Media of Concern	Reason for Concern
SB-16	n-Nitrosodi-n-propylamine	Soil	ADL
SB-16	arsenic	Soil	> Tier 1 (BG)
SB-16	TCLP cadmium	Soil	ADL
SB-16	all	Soil	> PID
SB-17	n-Nitrosodi-n-propylamine	Soil	ADL
SB-17	benzo(a)anthracene	Soil	> Tier 1
SB-17	benzo(a)pyrene	Soil	> Tier 1
SB-17	benzo(b)fluoranthene	Soil	> Tier 1
SB-17	dibenzo(a,h)anthracene	Soil	> Tier 1
SB-17	indeno(1,2,3-c,d)pyrene	Soil	> Tier 1
SB-18 (3-5)	1,3-dichloropropylene	Soil	ADL
SB-18 (3-5)	n-Nitrosodi-n-propylamine	Soil	ADL
SB-18 (3-5)	TCLP cadmium	Soil	ADL
SB-18 (14-15)	1,3-dichloropropylene	Soil	ADL
SB-18 (14-15)	n-Nitrosodi-n-propylamine	Soil	ADL
SB-19 (4-5)	n-Nitrosodi-n-propylamine	Soil	ADL
SB-19 (4-5)	TCLP cadmium	Soil	ADL
SB-19 (13-15)	1,3-dichloropropylene	Soil	ADL
	n-Nitrosodi-n-propylamine	Soil	ADL
SB-20 (3-5)	1,3-dichloropropylene	Soil	ADL
SB-20 (3-5)	hexachlorobenzene	Soil	NA
SB-20 (3-5)	n-Nitrosodi-n-propylamine	Soil	NA
SB-20 (3-5)	benzo(a)pyrene	Soil	NA
SB-20 (3-5)	dibenzo(a,h)anthracene	Soil	NA
SB-20 (9-11)	1,3-dichloropropylene	Soil	ADL
SB-20 (9-11)	hexachlorobenzene	Soil	NA
SB-20 (9-11)	n-Nitrosodi-n-propylamine	Soil	NA
SB-20 (9-11)	benzo(a)pyrene	Soil	NA
SB-20 (9-11)	dibenzo(a,h)anthracene	Soil	NA
SB-20 (9-11)	arsenic	Soil	> Tier 1 (BG)
MW-1	hexachlorobenzene	Groundwater	NA
MW-2	hexachlorobenzene	Groundwater	NA
MW-3	hexachlorobenzene	Groundwater	NA
MW-4	hexachlorobenzene	Groundwater	NA

ADL - Acceptable Detection Limit Exceeded

NA - Not Analyzed

&gt; Tier 1 (BG) - Tier 1 Objective and Background Objective Exceeded

&gt; Tier 1 - Tier 1 Objective Exceeded

&gt; PID - Not Sampled at the Depth of Greatest PID above the Saturated Zone



Table 1

Soil Boring/Well ID	Contaminant of Concern	Media of Concern	Reason for Concern
MW-5 (9/12/02)	1,3-dichloropropylene	Groundwater	ADL
MW-5 (9/12/02)	vinyl chloride	Groundwater	ADL
MW-5 (9/12/02)	hexachlorobenzene	Groundwater	ADL
MW-5 (10/30/02)	1,3-dichloropropylene	Groundwater	NA
MW-5 (10/30/02)	vinyl chloride	Groundwater	NA
MW-5 (10/30/02)	hexachlorobenzene	Groundwater	ADL

ADL - Acceptable Detection Limit Exceeded

NA - Not Analyzed

> Tier 1 (BG) - Tier 1 Objective and Background Objective Exceeded

> Tier 1 - Tier 1 Objective Exceeded

> PID - Not Sampled at the Depth of Greatest PID above the Saturated Zone

## 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

Exelon Generation Company, LLC      www.exeloncorp.com  
LaSalle County Station  
2601 North 21<sup>st</sup> Road  
Marseilles, IL 61341-9757

May 21, 2004

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**

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

**RECEIVED**  
Division of Legal Counsel  
MAY 24 2004  
Environmental Protection  
Agency

Re:    LPC #0990505001 - LaSalle County  
      Marseilles/Commonwealth Edison  
      2601 North 21<sup>st</sup> Road  
      LUST Incident No. 992477  
      LUST Technical File

Dear Sir or Madam:

A copy of Illinois Environmental Protection Agency's (Agency) letter dated May 4, 2004 rejecting the Site Classification Completion Report for the subject matter is attached. The letter was received on May 6, 2004.

The purpose of this letter is to request a 90-day extension of the time in which to file an appeal with the Illinois Pollution Control Board.

Our consultant is currently reviewing the issues that have been identified by the Agency. Additional time is required to prepare a response and schedule a meeting with the Agency to attempt to resolve this.

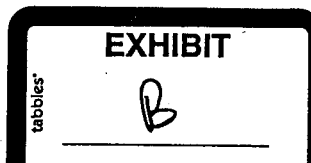
If additional information is required, please contact Mr. Frederic Bevington, Environmental Specialist, at 815-415-3243.

Sincerely,



George P. Barnes  
Site Vice-President  
Exelon - LaSalle County Station

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




## CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on June 10, 2004, I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient First Class Mail postage affixed thereto, upon the following named persons:

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

George P. Barnes  
Exelon – LaSalle County Station  
2601 North 21<sup>st</sup> Road  
Marseilles, IL 61341-9757

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)