

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

SINGH INC. OF ILLINOIS,	)	
Petitioner,	)	
	)	
v.	)	PCB 26-
	)	(LUST – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION	)	Extension)
AGENCY,	)	
Respondent.	)	

**NOTICE**

Don Brown, Clerk  
Illinois Pollution Control Board  
60 East Van Buren St., Suite 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

Singh Inc. of Illinois  
Attn: Surjit Toor  
9520 West Woelfel Road  
Franklin, WI 53132

Konicek Environmental Consulting, LLC  
Attn: Gregory A Konicek, P.G. (WI)  
1032 S. Spring Street  
Port Washington, WI 53074

PLEASE TAKE NOTICE that I have today caused to be filed a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



---

Melanie A. Jarvis  
Deputy Chief Counsel – Land Enforcement  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)  
Dated: December 9, 2025

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

SINGH INC. OF ILLINOIS,	)	
Petitioner,	)	
	)	
v.	)	PCB 26-
	)	(LUST – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION	)	Extension)
AGENCY,	)	
Respondent.	)	

**REQUEST FOR NINETY DAY EXTENSION  
OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, Melanie A. Jarvis, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to March 17, 2026, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On or about November 5, 2025, the Illinois EPA issued a final decision to the Petitioner.
2. On November 25, 2025, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five-day period for filing a petition by ninety days. Upon information and belief, Petitioner received the final decision on or about November 12, 2025.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

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



---

Melanie A Jarvis  
Deputy Chief Counsel – Land Enforcement  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
866/273-5488 (TDD)  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)  
Dated: December 9, 2025

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on December 9, 2025, I served true and correct copies of a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** by the method(s) and to the persons identified below:

*Electronic Service*

Don Brown, Clerk  
Illinois Pollution Control Board  
60 East Van Buren St., Suite 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

*Mail Service*

Singh Inc. of Illinois  
Attn: Surjit Toor  
9520 West Woelfel Road  
Franklin, WI 53132

Konicek Environmental Consulting, LLC  
Attn: Gregory A Konicek, P.G. (WI)  
1032 S. Spring Street  
Port Washington, WI 53074

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



---

Melanie A. Jarvis  
Deputy Chief Counsel – Land Enforcement  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
866/273-5488 (TDD)  
[melanie.jarvis@illinois.gov](mailto:melanie.jarvis@illinois.gov)

**Konicek Environmental Consulting, LLC**

---

November 25, 2025

Illinois Environmental Protection Agency  
Division of Legal Counsel  
2520 West Iles Avenue  
P.O. Box 19276  
Springfield, IL 62794-9276

Clerk of the Board  
Illinois Pollution Control Board  
60 East Van Buren Street, Ste 630  
Chicago, IL 60605

Reference: Request for an Extension to the Appeal Process  
Corrective Action Documentation and Budget Request  
LPC#0978995034 -- Lake County  
Russell/Amoco Oil #15550 (Russell/Senter's Car and Truck Plaza)  
43067 North Highway 41 (I-94 and Russell Road)  
Russell, IL 60075  
Leaking UST Incident No. 922300  
Leaking UST Technical File

Dear Division of Legal Counsel,

On behalf of Surgit Toor and Singh Inc. of Illinois, Konicek Environmental Consulting, LLC (KEC) requests a 90-day extension to the 35-day appeal process discussed in the attached November 5, 2025 correspondence. KEC received an electronic copy of the correspondence on November 5, 2025.

The extension is requested because site investigative and remedial activities have been conducted for this incident dating back to 1992 and some of the requested activities included in the November 5, 2025 correspondence may have already been completed.

The November 5, 2025 correspondence requests that a plan and/or budget be submitted to the IEPA by March 6, 2026, a reasonable time frame to review historic documents and provide. However, the 35-day appeal process expires December 10, 2025. The 90-day extension is requested in the event of a request for duplicated services. A copy of the November 5, 2025 IEPA letter is attached.

November 21, 2025 IEPA email correspondence indicated that the previously submitted CA Reimbursement request costs were not being approved for reimbursement for the CACR cost incurred as pre-approved by the IEPA. Attached is a copy of the IEPA April 29, 2024 corrective action plan approval letter.

If you should have any questions, please call our office at (262) 284-2557.

Sincerely,

Konicek Environmental Consulting, LLC

A handwritten signature in black ink that reads "Greg Konicek". The signature is written in a cursive, flowing style.

Gregory A. Konicek, P.G. (WI)

Cc: Singh Inc of Illinois  
IEPA Project Manager Chris Baldwin (electronic)

Attachments: November 5, 2025 IEPA Correspondence Letter  
IEPA April 29, 2024 Corrective Action Plan Approval Letter



# Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

(217) 524-3300

CERTIFIED MAIL

9589 0710 5270 2887 2214 38

NOV 05 2025

Singh Inc. of Illinois  
Attn: Surjit Toor  
9520 West Woelfel Road  
Franklin, WI 53132

Re: 0978995034 - Lake County  
Russell/Amoco Oil #15550  
43067 North Highway 41  
Leaking UST Incident 922300  
Leaking UST Technical File

Dear Surjit Toor:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan (plan) submitted for the above-referenced incident. This plan, dated July 2, 2025, was received by the Illinois EPA on July 9, 2025. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

The plan is rejected for the reasons listed in Attachment A of this letter, and the associated budget is rejected for the reasons listed in Attachment B of this letter (Sections 57.7(b) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b), 734.510(a) and 734.510(b)).

Pursuant to Sections 57.7(b) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 734.100 and 734.125, a plan and/or budget must be submitted by March 6, 2026, to:

Illinois Environmental Protection Agency  
Bureau of Land - #24  
Leaking Underground Storage Tank Section  
2520 West Iles Avenue  
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.

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 the undersigned at (217) 558-6857 or at [christopher.baldwin@illinois.gov](mailto:christopher.baldwin@illinois.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Baldwin", with a stylized flourish at the end.

Chris Baldwin  
Project Manager  
Leaking Underground Storage Tank Section  
Bureau of Land

Attachments: Attachment A  
Attachment B  
Appeal Rights

c: Konicek Environmental Consulting, LLC, Ken Konicek (electronic copy),  
[ken@konicekenvironmental.com](mailto:ken@konicekenvironmental.com)  
BOL File



Attachment A

Re: 0978995034 -- Lake County  
Russell/Amoco Oil #15550  
43067 North Highway 41  
Leaking UST Incident 922300  
Leaking UST Technical File

Citations in this attachment are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

1. Pursuant to 35 Ill. Adm. Code 734.335(a), if any of the applicable indicator contaminants exceed the most stringent Tier 1 remediation objectives of 35 Ill. Adm. Code 742 for the applicable indicator contaminants, within 30 days after the Agency approves the site investigation completion report, the owner or operator shall submit to the Agency for approval a corrective action plan designed to mitigate any threat to human health, human safety, or the environment resulting from the underground storage tank release. [415 ILCS 5/57.7(b)(2)]. The corrective action plan must address all media impacted by the UST release and must contain, at a minimum, the following information:
  - a. An executive summary that identifies the objectives of the corrective action plan and the technical approach to be utilized to meet such objectives. At a minimum, the summary must include the following information:
    - i. The major components (e.g., treatment, containment, removal) of the corrective action plan;
    - ii. The scope of the problems to be addressed by the proposed corrective action, including but not limited to the specific indicator contaminants and the physical area; and
    - iii. A schedule for implementation and completion of the plan;
  - b. A statement of the remediation objectives proposed for the site;
  - c. A description of the remedial technologies selected and how each fits into the overall corrective action strategy, including but not limited to the following:
    - i. The feasibility of implementing the remedial technologies;
    - ii. Whether the remedial technologies will perform satisfactorily and reliably until the remediation objectives are achieved;
    - iii. A schedule of when the remedial technologies are expected to achieve the applicable remediation objectives and a rationale for the schedule; and

- iv. For alternative technologies, the information required under Section 734.340 of this Part;
- d. A confirmation sampling plan that describes how the effectiveness of the corrective action activities will be monitored or measured during their implementation and after their completion;
- e. A description of the current and projected future uses of the site;
- f. A description of any engineered barriers or institutional controls proposed for the site that will be relied upon to achieve remediation objectives. The description must include, but not be limited to, an assessment of their long-term reliability and operating and maintenance plans;
- g. A description of water supply well survey activities required pursuant to Sections 734.445(b) and (c) of this Part that were conducted as part of site investigation; and
- h. Appendices containing references and data sources relied upon in the report that are organized and presented logically, including but not limited to field logs, well logs, and reports of laboratory analyses.

The Corrective Action Plan (CAP) dated July 2, 2025, and received by the Illinois EPA on July 9, 2025, does not satisfy the requirements of 35 Ill. Adm. Code 734.335(a) because it does not address all media impacted by the UST release and does not include the requirements listed at 35 Ill. Adm. Code 734.335(a)(1), (2), (7), and (8). As such, the Illinois EPA requires a Corrective Action Plan be submitted to the Illinois EPA that includes the following proposals, activities, and information:

- A proposal to identify the extent of groundwater contamination that exceeds Tier 1 Class I groundwater remediation objectives. The Illinois EPA recommends re-sampling the following monitoring well locations as well as the on-site potable well:
  - MW-3
  - MW-4 (RW-1)
  - MW-7R
  - MW-10
  - MW-11
  - MW-12
  - MW-14

Groundwater samples from the wells listed above must be analyzed for BTEX, PNAs, and lead. If any of the above-mentioned monitoring wells are now abandoned or compromised, those wells must be re-installed and re-sampled.

- The Illinois EPA requires the installation of new monitoring wells to 15 ft bgs in the locations listed below. Groundwater samples collected from these monitoring wells must be analyzed for BTEX, PNAs, and lead.

- One monitoring well must be installed north of MW-10 and MW-12 at the western property boundary.
- One monitoring well must be installed across U.S. Route 41 (Frontage Road) to the west of MW-12.
- One monitoring well must be installed to the east of MW-7R and MW-14.
- One monitoring well must be installed at the approximate location of soil boring B-23, which was located on the northern side of Russel Road. If this location is not feasible, then this monitoring well may be relocated to the southern side of Russel Road.
- The Illinois EPA requires the following soil borings be advanced:
  - One soil boring must be advanced to a depth of 20 feet below ground surface (ft bgs) directly south of soil boring B-1 at the property boundary. Soil samples must be collected from each 5-foot interval above the groundwater table and analyzed for BTEX.
  - One soil boring must be advanced to a depth of 20 ft bgs approximately 20 to 30 feet north of soil boring B-4. Soil samples must be collected from each 5-foot interval above the groundwater table and analyzed for BTEX.
- The Illinois EPA recommends re-sampling soil sample locations B-1 (15-17'), B-4 (7-9'), B-5 (5-7'), and B-25 (2-4) for BTEX constituents. Please note, for proper soil re-samples, the Illinois EPA requires one soil sample be collected from the same depth as the original soil sample as well as one additional soil sample from the location of the highest PID reading within the 5-foot interval of soil in which the original soil sample was located.
- The calculation of Tier 2 remediation objectives for construction worker populations and soil saturation limit ( $C_{sat}$ ).
- The modeling of soil concentrations that exceed the previously calculated Tier 2 remediation objectives.
- The modeling of groundwater concentrations exceeding Tier 1 Class I groundwater remediation objectives.
- Provide 4 *Laboratory Certifications for Chemical Analysis* for the laboratory analytical reports provided in this CAP (1 for each laboratory report).
- The Corrective Action Plan form must be signed by all applicable parties, which includes the owner or operator, the environmental consultant, and a Licensed Professional Engineer or Geologist.
- An executive summary of corrective action activities performed to date.

- A summary of the latest water supply well survey conducted or an updated water supply well survey.
- Tables that include all laboratory analytical results obtained to date with clear indications if concentrations no longer apply, i.e., soil sample locations that were removed or resampled.
- A site map that includes, at a minimum, the locations of all soil samples, soil borings, monitoring wells, and excavations.
- One or more site maps that illustrate the extent of soil and groundwater contamination above Tier 1 Class I remediation objectives.

2. Pursuant to 35 Ill. Adm. Code 620.210(a)(5), Class I potable resource groundwater includes groundwater that is 10 feet or more below the land surface and within a wellhead protection area, as defined in Section 620.110, that is a Phase I or Phase II wellhead protection area delineated in compliance with the "Guidance Document for Groundwater Protection Needs Assessments" and "The Illinois Wellhead Protection Program", both incorporated by reference in Section 620.125.

Additionally, pursuant to the Board Note included at 35 Ill. Adm. Code 620.210, if groundwater that is 10 feet or more below the land surface – and within any region or geologic material described in subsection (a) – also extends upward to within 10 feet of the land surface, then the groundwater 10 feet or more below the land surface is designated as Class I: Potable Resource Groundwater but the groundwater within 10 feet of the land surface is not. However, in accordance with 35 Ill. Adm. Code 620.115, if groundwater initially occurs within 10 feet of the land surface, the potential for hydraulic connection and contamination of Class I groundwater must be addressed in determining remediation objectives.

- Based on the information submitted to date, it appears the groundwater beneath the site cannot be designated as Class II groundwater because the entire site is within the Phase I wellhead protection area of the on-site non-CWS well, and a portion of the site is within the Phase I wellhead protection area of 2 additional non-CWS wells located across Russel Road to the south. Furthermore, the Illinois EPA is not aware of any documentation showing the groundwater that is within 10 feet of the land surface is not hydraulically connected to the Class I groundwater present below 10 feet of the land surface. As such, any physical or modeled contamination plume must meet the Tier 1 Class I groundwater remediation objectives within the Phase I wellhead protection areas at the site. Therefore, the proposed plan to monitor benzene concentrations at MW-4R is insufficient and is denied.

- In addition, it appears the current method of remediation is not affecting the existing levels of contamination in the groundwater at the site. Since groundwater monitoring has been performed since October 11, 2022, and contaminant concentrations in the groundwater continue to exceed Tier 1 Class I groundwater remediation objectives, the Illinois EPA recommends an alternative approach to address the remaining contamination be considered and proposed with the next submittal.
3. Pursuant to 35 Ill. Adm. Code 734.410, the owner or operator must propose remediation objectives for applicable indicator contaminants in accordance with 35 Ill. Adm. Code 742. Owners and operators seeking payment from the Fund that perform on-site corrective action in accordance with Tier 2 remediation objectives of 35 Ill. Adm. Code 742 must determine the following parameters on a site-specific basis:

Hydraulic conductivity (K)

Soil bulk density ( $\rho_b$ )

Soil particle density ( $\rho_s$ )

Moisture content (w)

Organic carbon content ( $f_{oc}$ )

**BOARD NOTE:** Failure to use site-specific remediation objectives on-site and to utilize available groundwater ordinances as institutional controls may result in certain corrective action costs being ineligible for payment from the Fund. See Section 734.630(aaa) and (bbb) of this Part.

- As the depth of the original geotechnical soil sample that was used to determine various physical soil parameters at the site is unknown, the Illinois EPA requires the depth of the geotechnical soil sample be reported with the next submittal. If the depth cannot be reported or if the depth is not within the same stratigraphic unit as the soil sample collected from B-5 (5-7'), which was the area of the highest soil contamination, then a proposal to collect a new geotechnical soil sample from a depth of 5-7' must be provided with the next submittal. The geotechnical soil sample must be analyzed for VOCs, SVOCs, foc, soil bulk density, soil particle density, moisture content, and particle size. Lastly, if it is necessary to collect a new geotechnical soil sample, then the previously calculated Tier 2 ROs must be re-calculated utilizing the data from the new geotechnical soil sample.
4. On May 16, 2013, the Illinois Pollution Control Board added the indoor inhalation exposure route to its tiered approach to corrective action objectives regulations at 35 Ill. Adm. Code 742. These amendments were effective on July 15, 2013. For information on the exposure route, please see the fact sheets at [www.epa.state.il.us/land/taco/indoor-inhalation-amendments.html](http://www.epa.state.il.us/land/taco/indoor-inhalation-amendments.html), especially the fact sheet entitled *Petroleum Vapor Intrusion Assessment for Leaking UST Program Sites*.

In an effort to determine if an evaluation of the indoor inhalation exposure route is required, the Illinois EPA's Leaking Underground Storage Tank Section has developed the *Indoor Inhalation Exposure Route Checklist*. This checklist can be found on the Illinois EPA's website at <https://epa.illinois.gov/content/dam/soi/en/web/epa/topics/cleanup-programs/lust/publications-regs/documents/indoor-inhalation-exposure-route-checklist.pdf>.

The soil gas sampling requirements can be found at 35 Ill. Adm. Code 742.227. Please see the *Soil Gas Sampling Protocol* fact sheet at the above Web address for guidance on soil gas sampling. It is suggested that contact be made with the laboratory to ensure that the laboratory detection limits are equal to or less than the indoor air remediation objectives calculated using Equation J&E1 or J&E2. (See the *Petroleum Vapor Intrusion Assessment for Leaking UST Program Sites* fact sheet for the link to the indoor air remediation objectives.) The use of indoor air remediation objectives as soil gas remediation objectives carries with it no institutional controls.

As an alternative to soil gas sampling, laboratory analytical results of groundwater sampling can be used to demonstrate compliance with the remediation objectives at 35 Ill. Adm. Code 742. Appendix B. Table H—so long as the property owner will accept the institutional control that existing or potential buildings located over the current extent of contamination must have full concrete slab-on-grade floors or full concrete basement floor and walls with no sumps.

- Based on the information submitted to date, an evaluation of the indoor inhalation exposure route is required as there is not at least 15 feet of soil exhibiting benzene concentrations less than 10 mg/kg between the highest measured groundwater elevation in a monitoring well and the lowest point of a building foundation/crawl space or ground surface. As such, the Illinois EPA requires a proposal for evaluating the indoor inhalation exposure route be provided with the next submittal.

5. In accordance with 35 Ill. Adm. Code 620.410(b), the Class I groundwater quality standards have been updated for several of the indicator contaminants applicable to the leaking UST release, which are listed below. Please note, these standards went into effect on March 28, 2025.

- Acenaphthene
- Anthracene
- Benzo(a)anthracene
- Benzo(b)fluoranthene
- Benzo(k)fluoranthene
- Chrysene
- Dibenzo(a,h)anthracene
- Fluoranthene
- Fluorene
- Indeno(1,2,3-c,d)pyrene
- Naphthalene
- Pyrene
- MTBE

Please see the *Comparison of Part 620 Numerical Groundwater Quality Standards, effective March 28, 2025, to Previous Standards* document on the Illinois EPA's website at <https://epa.illinois.gov/content/dam/soi/en/web/epa/topics/water-quality/groundwater/publishingimages/Part%20620%20Groundwater%20Quality%20Standards%20Comparison%20Table.pdf> for a comparison of the updated groundwater quality standards to previous standards.

Due to the updated groundwater quality standards described above, the Illinois EPA requires that measured groundwater concentrations be compared to the most stringent groundwater quality standards as set forth in Table E of 35 Ill. Adm. Code 742.Appendix B and 35 Ill. Adm. Code 620.410(b).

6. Static groundwater elevations in each monitoring well must be determined and recorded following well construction and prior to each sample collection to determine the gradient of the groundwater table and must be reported in the corresponding site investigation plan, site investigation completion report, or corrective action plan and completion report. (Section 57.1(a) of the Act and 35 Ill. Adm. Code 734.430(c)). One or more tables indicating groundwater elevation recordings of all groundwater sampling events conducted to date must be provided with the next submittal.



Attachment B

Re: 0978995034 -- Lake County  
Russell/Amoco Oil #15550  
43067 North Highway 41  
Leaking UST Incident 922300  
Leaking UST Technical File

Citations in this attachment are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the 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. In accordance with 35 Ill. Adm. Code 734.630(m), costs exceeding those contained in a budget or amended budget approved by the Illinois EPA are ineligible for reimbursement from the Leaking UST Fund.

The proposed budget includes costs associated with the preparation of the Corrective Action Completion Report (CACR) and monitoring well abandonment costs, which were previously approved on December 23, 2013, and April 29, 2024, respectively. Please submit only the costs required in addition to the costs that were previously approved. Please note, pursuant to 35 Ill. Adm. Code 734.870(d)(1), once the Illinois EPA approves a cost, the applicable maximum payment amount for the cost must not be increased (e.g. by proposing the cost in a subsequent budget).



### 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 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:

Clerk of the Board  
Illinois Pollution Control Board  
60 East Van Buren Street, Ste. 630  
Chicago, IL 60605  
(312) 814-3461

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

Illinois Environmental Protection Agency  
Division of Legal Counsel  
2520 West Iles Avenue  
Post Office Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 524-3300

**CERTIFIED MAIL**

9589 0710 5270 1328 8617 83

**APR 29 2024**

Singh Inc. of Illinois  
Attn: Surjit S. Toor  
9520 West Woelfel Road  
Franklin, Wisconsin 53132

Re: LPC #0978995034 -- Lake County  
Russell/Amoco Oil #15550  
43067 North Highway 41  
Leaking UST Incident No. 922300  
Leaking UST Technical File

Dear Surjit Toor:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan (plan) submitted for the above-referenced incident. This plan, dated March 27, 2024, was received by the Illinois EPA on April 1, 2024. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the Illinois Administrative Code (35 Ill. Adm. Code).

Pursuant to Sections 57.7(b)(2) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(a), the plan is approved. The activities proposed in the plan are appropriate to demonstrate compliance with Title XVI of the Act. Please note that all activities associated with the remediation of this release proposed in the plan must be executed in accordance with all applicable regulatory and statutory requirements, including compliance with the proper permits.

In addition, the budget is modified pursuant to Sections 57.7(b)(3) and 57.7(c) of the Act and 35 Ill. Adm. Code 734.505(b) and 734.510(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 payment from the Fund may be limited by Sections 57.7(c), 57.8(d), 57.8(e), and 57.8(g) of the Act, as well as 35 Ill. Adm. Code 734.630 and 734.655.

If the owner or operator agrees with the Illinois EPA's modifications, submittal of an amended plan and/or budget, if applicable, is not required (Section 57.7(c) of the Act).

**Further, pursuant to 35 Ill. Adm. Code 734.145, it is required that the Illinois EPA be notified of field activities prior to the date the field activities take place. This notice must include a description of the field activities to be conducted; the name of the person conducting the activities; and the date, time, and place the activities will be conducted and**

Page 2

**shall be made to EPA.FieldNotifications@illinois.gov. This notification of field activities must be provided at least two weeks prior to the scheduled field activities.**

Pursuant to Sections 57.7(b)(4) and 35 Ill. Adm. Code 734.305 and 734.335(c), the Illinois EPA requires that a Corrective Action Completion Report that achieves compliance with applicable remediation objectives be submitted on or before June 1 2025 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.

If you have any questions or need further assistance, please contact the undersigned at (217) 524-5596 or at Matt.Urish@illinois.gov.

Sincerely,



Matthew Urish, P.G.  
Project Manager  
Special Projects and Financial Unit  
Leaking Underground Storage Tank Section  
Bureau of Land

Attachments: Attachment A  
Appeal Rights

c: Ken Konicek, Konicek Environmental Consulting, LLC (electronic copy)  
BOL File

Attachment A

Re: LPC #0978995034 -- Lake County  
Russell/Amoco Oil #15550  
43067 North Highway 41  
Leaking UST Incident No. 922300  
Leaking UST Technical File

**SECTION 1**

Based on the modification in Section 2 of this Attachment A, the following amounts have been approved:

\$0.00	Drilling and Monitoring Well Costs
\$479.36	Analytical Costs
\$0.00	Remediation and Disposal Costs
\$0.00	UST Removal and Abandonment Costs
\$2,662.20	Paving, Demolition, and Well Abandonment Costs
\$7,184.28	Consulting Personnel Costs
\$0.00	Consultant's Materials Costs

Handling charges will be determined at the time an application for payment is reviewed by the Illinois EPA. The amount of allowable handling charges will be determined in accordance with Section 57.1(a) of the Environmental Protection Act (415 ILCS 5) (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code) 734.635.

**SECTION 2**

The costs associated with a Technician III to perform monitoring well abandonment activities are not approved as part of this budget. These charges are included in the well abandonment rate, for which a maximum rate of \$14.79 per foot applies. The costs exceed the maximum payment amounts set forth in Subpart H, Appendix D, and/or Appendix E of 35 Ill. Adm. Code 734. Such costs are ineligible for payment from the Fund pursuant to 35 Ill. Adm. Code 734.630(zz). In addition, such costs are not approved pursuant to Section 57.7(c)(3) of the Act because they are not reasonable.

Based upon the above deduction, a total of \$650.00 was deducted from personnel costs for the above-referenced activities.

### 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 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:

Clerk of the Board  
Illinois Pollution Control Board  
60 East Van Buren Street, Ste. 630  
Chicago, IL 60605  
(312) 814-3461

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