

Konicek Environmental Consulting, LLC

February 26, 2026

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: Appeal of November 5, 2025, IEPA Correspondence
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) is providing this request to appeal the attached November 5, 2025, Illinois Environmental Protection Agency (IEPA) correspondence.

The requested appeal is based on previous activities conducted regarding the above referenced Leaking UST Incident and the IEPA's historic reviews and approvals related to the site investigative and remedial activities conducted for this incident dating back to 1992.

The following is a summary of historical documents related to the site investigation and ongoing corrective actions conducted:

- Kapur & Associates, Inc July 14, 1998, Soil and Groundwater Investigation Report.
- Himalayan Consultants, LLC August 15, 2005 Corrective Action Plan (CAP) Development Update Report.
- Himalayan Consultants, LLC June 26, 2008, Corrective Action Plan (CAP) Development Update Report.
- IEPA October 14, 2008, CAP Conditional Approval Letter.
- IEPA December 23, 2008, related to Corrective Action Completion Report (CACR) review and that "The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(c)(1)(E) of the Act and 35Ill. Adm. Code 732.409(a)(2) have been satisfied". LUST Incident No. 20001672.
- KEC July 24, 2012, Amended Correction Action Plan.
- IEPA September 12, 2012, plan approval letter.
- KEC November 18, 2013, Supplemental Assessment Letter Report and Amended Corrective Action Plan.
- IEPA December 23, 2013, review and approval letter.
- IEPA April 20, 2021, Letter.
- KEC December 27, 2021, Project Update Letter that noted that the delay in implementing the December 23, 2013, IEPA Approval was due to concerns related to reimbursement eligibility.
- June 2021 and January 2022 KEC email correspondence with IEPA Rachel Wilham regarding April 20, 2021, and December 27, 2021, letters.

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Leaking UST Incident No. 922300 Amoco Oil #15550 (Russell/Senter's Car and Truck Plaza)

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- KEC September 26, 2023, (revised December 26, 2023, per IEPA Matt Urish comments) Corrective Action Report.
- IEPA January 26, 2024 review letter.
- KEC March 27, 2024, Corrective Action Budget Request.
- IEPA April 29, 2024, Review Letter.
- KEC July 2, 2025, Corrective Action Documentation and Budget Request.

In addition to the above listed documents, various telephone and email correspondences between the IEPA project managers and KEC have occurred. Those documents and correspondence with direct involvement of the IEPA in CAP development to bring the Incident to a No Further Action (NFA) status indicated that the completion of the CAP was dependent on the objective of meeting the Tier 1 Groundwater Remediation Objectives (GROs) of 5 ug/L for benzene at the RW-1 location, installed to intercept a sand seam identified during the corrective action of soil excavation and offsite disposal.

The documentation listed above indicates that the IEPA November 5, 2025, request for additional documentation had previously been provided to advance the Incident CAP development to the GROs objective. It is the position of KEC that the corrective action for this site is near completion and wells requested to be sampled have already been determined non-essential based on prior results and some have been abandoned. As a safeguard for the overall effectiveness of the actions taken, KEC previously proposed the sampling of the onsite potable well. KEC therefore recommends proceeding with the July 2, 2025 request with the addition of sampling the onsite potable well.

Based on the Corrective Actions previously conducted with IEPA review and approval of reimbursement of the approved costs incurred, Surgit Toor and Singh Inc. of Illinois would also like appeal the unreimbursed costs as they have been incurred by IEPA approval. These similar cost and corrective actions have been previously reimbursed as submitted.

If you have any questions or do not have any of the documents listed, please call our office at (262) 284-2557.

Sincerely,

Konicek Environmental Consulting, LLC



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

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

Attachments: None

Received, Clerk's Office 03/12/2026

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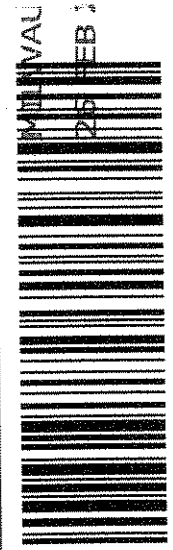
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