

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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MAY 02 2005

RICHARD KARLOCK,

Petitioner,

vs.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

PCB No. 05-127  
(UST Appeal)

STATE OF ILLINOIS  
Pollution Control Board

PETITIONER'S MOTION FOR SUMMARY JUDGMENT

NOW COMES Petitioner, Richard Karlock (hereinafter "Petitioner"), by his attorneys, Harrington & Tock, and, pursuant to Title 35 Illinois Administrative Code, Section 101.516, respectfully moves the Pollution Control Board to enter summary judgment in favor of Richard Karlock and against the Illinois Environmental Protection Agency in this matter and, in support thereof, states as follows:

1. By cover letter dated September 14, 2004, an Application for Reimbursement of Site Investigation Activities was filed with the Respondent. The site investigation activities were in response to a confirmed release as described in the Application. That cover letter along with the Application is attached hereto and made a part hereof as Petitioner's Exhibit 1. The cover letter and Application were received by the Respondent on September 16, 2004.

2. By letter dated December 10, 2004, Petitioner was notified by Respondent that the Respondent had received the Petitioner's complete Application for Reimbursement of Site Investigation Activities, but the application was denied. The reasons given in Attachment A to that December 10, 2004 letter were that an approved site investigation completion report had not been submitted as required by Section 57.7(a)(5) and that the Application for Reimbursement was missing the Owner/Operator Billing Certification Form. The Respondent's letter of December 10, 2004 is attached hereto and made a part hereof as Petitioner's Exhibit 2. (This exhibit is also attached to Petitioner's Petition as Exhibit "A".)
3. By cover letter dated January 4, 2005 from Petitioner to Respondent, Petitioner submitted to the Respondent the requested Billing Certification Form for the Application for Reimbursement. That cover letter along with the completed Billing Certification is attached hereto and made a part hereof as Petitioner's Exhibit 3. (This exhibit is also attached to the Petitioner's Petition as Exhibit "B".)
4. Once the Petitioner submitted to the Respondent the requested Billing Certification Form, the only reason left for the Respondent to not approve the Application for Reimbursement was the lack of an approved site investigation completion report.
5. Respondent cited Section 57.7(a)(5) of the Illinois Environmental Protection Act (415 ILCS 57.7(a)(5)) as requiring that Petitioner submit an

approved site investigation completion report before the Agency could approve an Application for Reimbursement of Site Investigation Activities. Section 57.7(a)(5) states as follows: "Within thirty days after completing the site investigation, the owner or operator shall submit to the Agency for approval a site investigation completion report."

6. Petitioner acknowledges that Petitioner did not submit a site investigation completion report in support of Petitioner's Application for Reimbursement of Site Investigation Activities, but denies that a site investigation completion report is required by either statute or regulation when a request is made for partial payment pursuant to 415 ILCS 5/57.8. (Petitioner did submit to the Respondent by cover letter dated June 16, 2004 a site investigation status report for this project that reported the work done to date for which reimbursement was then sought by the Application for Reimbursement of Site Investigation Activities.)
7. 415 ILCS 5/57.8 states, in part, as follows: "The owner or operator may submit a complete application for final or partial payment to the Agency for activities taken in response to a confirmed release."
8. 415 ILCS 5/57.8(a)(6) states as follows: "For purposes of this Section, a complete application shall consist of:

(A) a certification from a Licensed Professional Engineer as required under this Title and acknowledged by the owner or operator

(B) a statement of the amounts approved in the budget and the amounts actually sought for payment along with a certified statement by the owner or operator that the amounts so sought were expended in conformance with the approved budget.

(C) a copy of the office of the state fire marshal's eligibility and deductibility determination.

(D) proof that approval of the payment requested will not result in the limitations set forth in subsection (G) of this section being exceeded.

(E) a federal taxpayer identification number and legal status disclosure certification on a form prescribed and provided by the Agency."

Paragraph (g) of Section 57.8 pertains to cost of corrective actions not exceeding \$1,500,000.00 per occurrence. The Application for Reimbursement of Site Investigation Activities submitted by the Petitioner states on page D-1 that reimbursements of corrective action costs will not exceed \$1,000,000.00.

9. Respondent acknowledged in its letter of December 10, 2004 that

Petitioner's application was complete.

10. The Application for Reimbursement of Site Investigation Activities

originally submitted by the Petitioner and as amended with the

addition of the Owner/Operator And Professional Engineer Billing

Certification form that was submitted to the Respondent by cover letter dated January 4, 2005 and as shown as Petitioner's Exhibit 3. The Petitioner's Application was complete as defined by Section 57.8(a)(6). The Petitioner's Application contained all of the requirements for a completed application as set forth in that section.

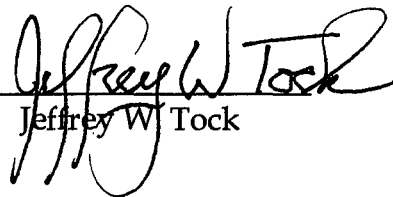
11. There is no statute and no regulation that has been adopted by the Illinois Pollution Control Board that supports the Respondent's failure and refusal to make partial payment to the Petitioner on Petitioner's Application for Reimbursement of Site Investigation Activities.
12. The Respondent's lack of authority to reject a request for partial payment that is a complete Application in compliance with 415 ILCS 57.8(a)(6) should not be confused with the Agency's authority under 35 Illinois Administrative Code Section 732.601(h). Pursuant to that Section, "Applications for payment of costs associated with site classification may not be submitted prior to approval or modification of the Site Classification Completion Report." The Petitioner herein is seeking partial reimbursement for site investigation, not site classification. There is no authority pursuant to the Illinois Administrative Code or pursuant to any Illinois statute for the Respondent to deny the Petitioner's complete Application for Partial Payment for Site Investigation pursuant to 415 ILCS 5/57.8.

13. There is no factual dispute. The only dispute is the interpretation of 415 ILCS 5/57.8. The statute clearly authorizes owners to apply for partial payment for activities taken in response to a confirmed release. Petitioner is entitled to payment of its Application for Reimbursement of Site Investigation Activities.

WHEREFORE, Petitioner prays that the Pollution Control Board enter summary judgment in Petitioner's favor and against Respondent and order the Respondent to make payment immediately in the requested amount of \$26,245.05.

RICHARD KARLOCK,  
Petitioner,

By: \_\_\_\_\_

  
Jeffrey W. Tock

Dated: April 29, 2005

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

vlb/Complain.jef/HDC/Karlock-MtnSummJdgmt

**PETITIONER'S EXHIBIT "1"**

**Illinois Environmental Protection Agency  
Leaking Underground Storage Tank Program  
Application for Reimbursement  
Of Site Investigation Activities**



**Site Location**

Karlock Service Station/Farney's Garage  
522 S. Main Street  
Rankin, Illinois 60960  
Vermilion County  
IEMA Incident No. 20021180

**Prepared For**

Richard Karlock  
119 West Patton Street  
Paxton, Illinois 60957

**Prepared by**

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

HDC Project No. 01380

**August 24, 2004**

**ENGINEERS • SURVEYORS •  
PLANNERS • ENVIRONMENTAL**



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# BUDGET AND BILLING FORM FOR LEAKING UNDERGROUND STORAGE TANK SITES

## A. SITE INFORMATION

Site Name: Karloek Service Station/Farney's Garage

Site Address: 522 South Main Street City: Rankin

Zip: 60960

County: Vermilion IEPA Generator No.: 1830705004

IEMA Incident No.: 20021180 IEMA Notification Date: 8/20/02

Date this Form was Prepared: August 24, 2004

This form is being submitted as a:

☐ Budget Proposal

☐ Budget Amendment (Budget Amendments must include only the costs over the previous budget.)

Amendment Number: \_\_\_\_\_

☒ Billing Package for costs incurred pursuant to 35 Illinois Administrative Code (IAC), Part 732 ("new program").

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

☐ Early Action

☐ Site Classification

☐ Low Priority Corrective Action

☐ High Priority Corrective Action

☒ Other (indicate activities) Site Investigation Plan

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

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

Pay to the order of: Richard Karlock

Send in care of: HDC Engineering

Address: 201 W. Springfield Avenue, Suite 300

City: Champaign

State: Illinois

Zip: 61820

Number of Petroleum USTs in Illinois presently owned or operated by the owner or operator; any subsidiary, parent or joint stock company of the owner or operator; and any company owned by any parent, subsidiary or joint stock company of the owner or operator:

Fewer than 101: X

101 or more: \_\_\_\_\_

Number of USTs at the site: 5 (Number of USTs includes USTs presently at the site and USTs that have been removed.)

Number of incidents reported to IEMA: 1

Incident Numbers assigned to the site due to releases from USTs: 20021180

Please list all tanks which have ever been located at the site and are presently located at the site.

Product Stored	Size (gallons)	Did UST have a release?		Incident No.	Type of Release
<u>Gasoline</u>	<u>2,000</u>	<u>(Yes)</u>	<u>No</u>	<u>20021180</u>	<u>leak, overspill</u>
<u>Gasoline</u>	<u>2,000</u>	<u>(Yes)</u>	<u>No</u>	<u>20021180</u>	<u>leak, overspill</u>
<u>Used Oil</u>	<u>560</u>	<u>(Yes)</u>	<u>No</u>	<u>20021180</u>	<u>leak, overspill</u>
<u>Heating Oil</u>	<u>1,000</u>	<u>(Yes)</u>	<u>No</u>	<u>20021180</u>	<u>leak, overspill</u>
<u>Gasoline</u>	<u>1,000</u>	<u>(Yes)</u>	<u>No</u>	<u>20021180</u>	<u>leak, overspill</u>
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____
_____	_____	<u>Yes</u>	<u>No</u>	_____	_____

**C. APPROVED BUDGET SUMMARY AND BILLING SUMMARY****1. Amount approved in the Budget**

1. Investigation Costs: \$ 6,568.00
2. Analysis Costs: \$ 4,359.41
3. Personnel Costs: \$ 14,972.00
4. Equipment Costs: \$ 684.00
5. Field Purchases and Other Costs: \$ 602.00
6. Handling Charges: \$ 1,168.48

**TOTAL APPROVED IN THE BUDGET = \$ 28,353.89**

**2. Actual Amount Spent**

1. Investigation Costs: \$ 5,493.90
2. Analysis Costs: \$ 4,106.23
3. Personnel Costs: \$ 14,966.00
4. Equipment Costs: \$ 672.77
5. Field Purchases and Other Costs: \$ 601.73
6. Handling Charges: \$ 404.42

**TOTAL AMOUNT SPENT = \$ 26,245.05**

\_\_\_\_\_ A budget for the bills included in this billing package was approved by the Agency on \_\_\_\_\_.

X  This billing package includes bills which were included in the Budget Amendment dated October 9, 2003,  
and approved by the Agency on January 2, 2004.

\_\_\_\_\_ Neither a budget nor a budget amendment were approved by the Agency for the bills included in this package.

**D. PAYMENT CERTIFICATION** - This certification must be included with every request for payment.

I, Richard Karlock the owner or operator of the LUST site for which this claim is being submitted, certify that \$ 26,245.05 is the amount being sought in this claim for reimbursement, \$ 79,373.27 has already been reimbursed from the Fund for this occurrence and \$ 0.00 has been sent to the Agency for reimbursement for this occurrence but has not yet been reimbursed. I further certify that the number of petroleum USTs in Illinois presently owned or operated by the owner or operator, any subsidiary, parent or joint stock company of the owner or operator, and any company owned by any parent, subsidiary or joint stock company of the owner or operator is:

Fewer than 101: X 101 or more: \_\_\_\_\_

Except for claims associated with Early Action, I certify that a plan for the work included in this billing package was approved by the Agency on October 9, 2003; certify that a budget for the work included in this claim was approved by the Agency on January 2, 2004; certify that the amount sought for payment was expended in conformance with the approved budget and approved plan.

I further certify that if the costs included in this claim for reimbursement are approved for payment, the following limitations will not be exceeded:

1. Payment of this claim will not result in the owner or operator receiving reimbursement of corrective action costs or indemnification costs from the Fund for more than \$1,000,000 per occurrence.
2. Payment of this claim will not result in the owner or operator receiving reimbursement of corrective action costs or indemnification costs from the Fund incurred during a calendar year in excess of the following amounts:

\$1,000,000, if fewer than 101 tanks are owned or operated in Illinois.  
\$2,000,000, if 101 or more tanks are owned or operated in Illinois.

Owner/Operator: Richard Karlock Title: Owner  
Signature: [Signature] Date: Sep 14 2004  
Subscribed and sworn to before me the 14<sup>th</sup> day of September, 2004.  
(This certification must be notarized when the certification is signed.)

Eileen Marie Johnson  
(Notary Public)

Seal:



**E. INVESTIGATION COSTS**Method I \_\_\_\_\_ Method II \_\_\_\_\_ Method III \_\_\_\_\_ Not Applicable X

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

7 borings to 12 feet = 84 feet to be bored for Migration Pathways1 borings to 6 feet = 6 feet to be bored for Used Oil Tank5 borings to 15 feet = 75 feet to be bored for Monitoring Wells

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

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

Total Feet to be Bored: 165Borings: 165 feet x \$ 12.50 per foot = \$ 2,062.50 (or)

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

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

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

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

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

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

1 # of Mobilizations @ \$ 250.00 per mobilization = \$ 250.00

Other Costs	Number of Units	Unit Cost	Total Cost
Decontamination Equipment (per day)	2	190.00	380.00
Decontamination/Drumming Labor (per hour/man)	5	38.00	190.00
Per Diem (3 Man Crew)	3	85.00	255.00
Monitoring Well Installation - Rig (per hour)	3	75.00	225.00
Monitoring Well Installation - Labor	5	76.00	380.00

Other Costs (continued)	Number of Units	Unit Cost	Total Cost
Geoprobe Utilization	1 day	\$400.00/day	\$400.00
Lowe's (fittings)	1	\$16.40	\$16.40
United Rentals (core drill)	1 day	\$100.00/day	\$100.00

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

Material	Number of Units	Unit Cost	Total Cost
2" PVC Screen (10')	5	35.00	\$175.00
2" PVC Riser (5')	5	15.60	\$78.00
2" PVC Bottom Plug	5	8.00	\$40.00
Expanding Locking Cap	5	17.60	\$88.00
8" Manway	5	82.00	\$410.00
Silica Sand (50 lb.)	35	8.00	\$280.00
Bentonite Chips (50 lb.)	8	12.00	\$96.00
Ready Mix Concrete (80 lb.)	8	8.50	\$68.00
		<b>Subtotal</b>	<b>\$1,235.00</b>

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

Disposal of Cuttings: \_\_\_\_\_ drums x \$ \_\_\_\_\_ per drum = \$ \_\_\_\_\_

Disposal of Water: \_\_\_\_\_ gallons x \$ \_\_\_\_\_ per gallon = \$ \_\_\_\_\_

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

Describe how the water/soil will be disposed: \_\_\_\_\_

IEMA No. 20021180

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**Total Investigation Costs: \$ 5,493.90**



**F. ANALYSIS COSTS**

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

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

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

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

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

\_\_\_\_\_ Ex-situ Hydraulic Conductivity/Permeability samples

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

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

\_\_\_\_\_ Rock Hydraulic Conductivity/Permeability samples

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

\_\_\_\_\_ Natural Organic Carbon Fraction (foc) samples

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_ pH Samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

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

12 TCLP Lead samples x \$ 69.53 per sample = \$ 834.36

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

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

12 Total Lead samples x \$ 13.33 per sample = \$ 159.96

1 Volatiles samples x \$ 153.00 per sample = \$ 153.00

1 Base Neutral & Acids samples x \$ 253.12 per sample = \$ 253.12

7 BTEXM/PNA samples x \$ 162.23 per sample = \$ 1,135.61

5 BTEXM/PNA samples x \$ 153.23 per sample = \$ 766.15

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

1 BTEXM samples x \$ 46.58 per sample = \$ 46.58

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

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

\_\_\_\_\_ pH Samples x \$ \_\_\_\_\_ per sample = \$ \_\_\_\_\_

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

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

5 Total Lead samples x \$ 13.33 per sample = \$ 66.65

5 BTEXM/PNA samples x \$ 138.16 per sample = \$ 690.80

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

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

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

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

**TOTAL ANALYSIS COSTS = \$ 4,106.23**

**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.

Professional Engineer : 2.75 hours x \$ 82.00 per hour = \$ 225.50  
(Title)

Professional Engineer : 0.25 hours x \$ 75.00 per hour = \$ 18.75  
(Title)

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

Project Manager : 23.25 hours x \$ 95.00 per hour = \$ 2,208.75  
(Title)

Task to be performed for the above hours: project management and oversight, planning, scheduling, & review

Environmental Professional III : 10.25 hours x \$ 75.00 per hour = \$ 768.75  
(Title)

Environmental Professional III : 80.25 hours x \$ 72.00 per hour = \$ 5,778.00  
(Title)

Task to be performed for the above hours: workplan design, health and safety plan, soil boring logs, soil and groundwater sampling, site survey, hydraulic conductivity testing, data analysis and reporting

Environmental Professional II : 78.50 hours x \$ 65.00 per hour = \$ 5,102.50  
(Title)

Environmental Professional II : 8.5 hours x \$ 55.00 per hour = \$ 467.50  
(Title)

Environmental Professional I : 4 hours x \$ 40.00 per hour = \$ 160.00  
(Title)

Task to be performed for the above hours: drilling and soil/groundwater sampling

Draftsperson : 3.75 hours x \$ 45.00 per hour = \$ 168.75  
(Title)

Draftsperson : 0.25 hours x \$ 50.00 per hour = \$ 12.50  
(Title)

Task to be performed for the above hours: site plans, groundwater flow maps, site cross-sections

Draftsperson : 1 hours x \$ 55.00 per hour = \$ 55.00  
(Title)

Task to be performed for the above hours: site plans, groundwater flow maps, site cross-sections

**TOTAL PERSONNEL COSTS: \$ 14,966.00**

## 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.**

[illegible]

**\*Handling Fee Applies**

[illegible]

Subtotal Page H-2 0.00

Total (Pages H-1 and H-2) \$672.77

## I. FIELD PURCHASES AND OTHER COSTS

**All field purchases must be listed below in a time and materials format. Handling charges must not be added here; use Section J, Handling Charges to calculate the handling charges.**

[illegible]

**Subtotal Page I-1: \$601.73**

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

**TOTAL OTHER COSTS = \$ 0.00** \_\_\_\_\_

Subtotal Page I-2 0.00

Total Pages I-1 and I-2 601.73



## J. HANDLING CHARGES

Handling charges are eligible for payment on subcontractor billings and/or field purchases only if they are equal to or less than the amounts determined by the following table:

Subcontractor or Field Purchase Cost	Eligible Handling Charges as a Percentage of Cost
\$1 - \$5,000	12%
\$5,001 - \$15,000	\$600 + 10% of amt. Over \$5,000
\$15,001 - \$50,000	\$1,600 + 8% of amt. Over \$15,000
\$50,001 - \$100,000	\$4,400 + 5% of amt. Over \$50,000
\$100,001 - \$1,000,000	\$6,900 + 2% of amt. Over \$100,000

### A. Subcontractor Charges

<b>Subcontractor</b>	<b>Section in these Forms where Cost is Listed</b>	<b>Subcontract Amount</b>
Western Environmental Drilling	E	3,586.50
Great Lakes Analytical	F	4,106.23
		<b>Subtotal Page J-1: \$7,692.73</b>

### **B. Field Purchase**

[illegible]

**\*Use chart at top of Page M-1 to calculate the allowable handling charge.**

**Copies of invoices for subcontractor costs and receipts for field purchases are required for billing submissions.**



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

September 5, 2002

To Whom It May Concern:

HDC Engineering is an authorized representative of Karlock Service Station to sign documents relating to the underground storage tank (UST) removal and site remediation activities located at 522 South Main Street, Rankin, IL 60960, commonly known as Karlock Service Station/Farley's Garage. The authorization extends to actions necessary to satisfy requirements from the Office of the Illinois State Fire Marshal, Illinois Environmental Protection Agency, landfill for soil disposal, laboratory for soil/water analysis, and other agencies and/or businesses concerning the above site for the work stated.

Respectfully,

A handwritten signature in dark ink, appearing to read "Richard Karlock", written over a horizontal line.

Richard Karlock  
Karlock Service Station  
119 West Patton  
Paxton, IL 60957

Illinois Environmental Protection Agency

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

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

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

Costs associated with ineligible tanks.

Costs associated with site restoration (e.g., pump islands, canopies).

Costs associated with utility replacement (e.g., sewers, electrical, telephone, etc.).

Costs incurred prior to IEMA notification.

Costs associated with planned tank pulls.

Legal defense costs.

Costs incurred prior to July 28, 1989.

Costs associated with installation of new USTs or the repair of existing USTs.

Owner/Operator: MIKE JONES for Title: Authorized Representative  
Richard Karlock Title: Owner

Signature: [Signature] Date: 9/14/04

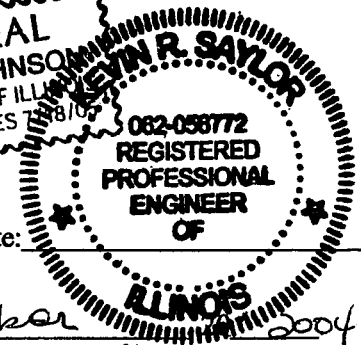
Subscribed and sworn to before me the 14th day of September, 2004.  
(Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

Eileen Marie Johnson  
(Notary Public)



P.E.: Kevin Saylor

P.E. Signature: [Signature] Date: 9-14-04



Subscribed and sworn to before me the 14th day of September, 2004.  
(Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

Eileen Marie Johnson  
(Notary Public)

Seal:



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.

**UNDERGROUND STORAGE TANK PROGRAM**  
**Private Insurance Coverage**  
**Questionnaire and Affidavit**

This form must be completed in full by all owners/operators or their authorized representatives, that have a claim for payment from the State of Illinois Leaking Underground Storage Tank (LUST) program, for the labor, materials, overhead and profit costs related to the study and/or remediation of a LUST site.

1. Name and address of the LUST site: Karloek Service Station/Farney's Garage  
522 South Main Street  
Rankin, Illinois 60960

2. Name of insurance company providing coverage for this LUST site: None

3. Amount of coverage provided: \$ 0

4. Have you or your firm filed a claim against your insurance company for this LUST site? Yes ☐ No ☒

a. If yes, how much is the claim for? \$ \_\_\_\_\_

b. If no, explain why. Not covered.

5. Have you or your firm received payment for a claim against your insurance company for this LUST site? Yes ☐ No ☒

a. If yes, how much and when? \$ \_\_\_\_\_  
Date \_\_\_\_\_

b. If no, explain why. Not covered.

6. Are you going to file a claim against your insurance policy? Yes ☐ No ☒

a. If yes, how much and when? \$ \_\_\_\_\_  
Date \_\_\_\_\_

b. If no, explain why. Not covered.

IL 532 1817  
LPC 324 Rev. Jan 98

This Agency is authorized to request this information under the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq. (Formerly Ill. Rev. Stat. Ch 111-1/2, 1001 et seq.). Disclosure of this information is required. Failure to properly complete this form in its entirety may result in the delay or denial of any payment requested hereunder. This form has been approved by the Forms Management Center.

## PRIVATE INSURANCE AFFIDAVIT

I, Richard Karlock, a duly authorized representative of the Karlock Service Station/Farney's Garage,  
(owner/operator or firm's name)

hereby certify that the Karlock Service Station does, X does not have private  
(owner/operator or firm's name)

insurance coverage for all or part of the costs related to claim for payment of Karlock Service Station  
(owner or firm's name)

study and/or remediation costs for work performed at Karlock Service Station located  
(site name)

at Northwest corner of Routes 9 & 49, Rankin, Illinois 60960  
(address)

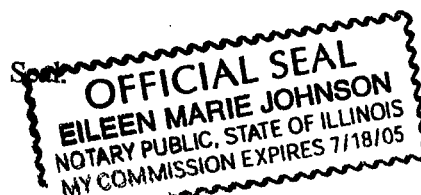
I, Richard Karlock, Owner of Karlock Service Station  
(name) (title) (owner/operator or firm's name)

certify that as of this date, the above information is accurate and complete. Furthermore, I also agree to reimbursement the Illinois EPA for any overpayment made by my private insurance company in excess of the deductible amount for each site.

MIKE JONES for Authorized Representative  
Owner/Operator: Richard Karlock Title: Owner  
Signature: [Signature] Date: 9/14/04

Subscribed and sworn to before me the 14th day of September, 2004.  
(The Private Insurance Affidavit must be notarized when the affidavit is signed.)

Eileen Marie Johnson  
(Notary Public)



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.

**FEDERAL TAXPAYER IDENTIFICATION NUMBER AND  
LEGAL STATUS DISCLOSURE CERTIFICATION REQUIREMENTS**

In order to comply with requirements mandated by Internal Revenue Service Rules and Regulations, the tank owner/operator must complete the section entitled TAXPAYER IDENTIFICATION NUMBER AND LEGAL STATUS DISCLOSURE CERTIFICATION below.

Enter your taxpayer identification number (TIN) in the appropriate space. For individuals and sole proprietors, this is your social security number. For other entities, it is your employer identification number. Federal Employer Identification Numbers (FEINs) must not be used for sole proprietorships.

If you do not have a TIN, apply for one immediately. To apply, get Form SS-5, Application for a Social Security Number Card (for individuals) from your local office of the Social Security administration, or Form SS-4, Application for Employer Identification Number (for businesses and all other entities), from your local Internal Revenue Service office.

To complete the certification if you do not have a TIN, fill out the certification including that a TIN has been applied for, sign and date the form, and return it to this Agency. As soon as you receive your TIN, fill out another such form including your TIN, sign and date the form, and send it to this Agency.

If you fail to furnish your correct TIN to this Agency, you are subject to an IRS penalty of \$50.00 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**WILLFULLY FALSIFYING CERTIFICATIONS OR AFFIRMATIONS MAY SUBJECT YOU TO  
CRIMINAL PENALTIES INCLUDING FINES AND/OR IMPRISONMENT.**

Please return the completed form to the Bureau of Land, Remedial Projects, Accounting & Procurement Unit, Post Office Box 19276, Springfield, Illinois 62794-9276.

**TAXPAYER IDENTIFICATION NUMBER AND LEGAL STATUS DISCLOSURE CERTIFICATION.**  
Under penalties of perjury, I certify that the FEIN or Social Security Number indicated below is my correct Federal Taxpayer Identification Number. I am doing business as a (please check one):

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Real Estate Agent
<input type="checkbox"/> Partnership	<input type="checkbox"/> Governmental Entity	<input type="checkbox"/> Not-for-Profit Corporation
<input type="checkbox"/> Corporation	<input type="checkbox"/> Tax Exempt Organization	<input type="checkbox"/> Medical & Health Care
<input type="checkbox"/> Trust or Estate	<input type="checkbox"/> (IRC 501(a) only)	<input type="checkbox"/> Services Provider Corporation

323-58-9456

Taxpayer Identification Number

*J Mike Jones for  
Richard Karlock*

Signed

*9/14/04*

Date

Karlock Service Station

Name of Firm (Please print or type)

Note: Original signature required.

This Agency is authorized to request this information under the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq. (Formerly Ill. Rev. Stat. Ch 111-1/2, 1001 et seq.). Disclosure of this information is required. Failure to properly complete this form in its entirety may result in the delay or denial of any payment requested hereunder. This form has been approved by the Forms Management Center.

IL 532 1887

LPC 367 Rev. Jan 98

BB:ct\FedTaxID.wpd

# UNDERGROUND STORAGE TANK PROGRAM

## Illinois Environmental Protection Agency

The IEPA is required to report State and Federal funds paid to Women's Business Enterprises (WBE) and to Minority Business Enterprises (MBE). Therefore, please provide the required information for all Prime Consultants/Contractors and Subcontractors used to perform the work for this billing:

Name of LUST site: Karloek Service Station/Farley's Garage Incident No. 20021180  
 The work for this billing was performed from: February 1, 2003 to: August 18, 2004

Prime Consultants and/or Contractor(s):

FIRM'S NAME, ADDRESS AND TELEPHONE NUMBER	IS THIS FIRM A WBE/ MBE?**	IF YES, WHAT IS THEIR STATE OF ILLINOIS VENDOR NUMBER?	AMOUNT PAID OR DUE THIS BILLING
HDC Engineering 201 W. Springfield Ave., Suite 300 Champaign, IL 61824 (217) 352-6976	No		\$18,552.32

**Billing Subtotal \$ 18,552.32**

Subcontractor(s):

Great Lakes Analytical	No		\$4,106.23
Western Environmental Services, Inc.	No		\$3,586.50

**Billing Subtotal \$ 7,692.73**

**\*\*WBE/MBE =** If the firm is a WBE, place the term WBE in the space provided. If the firm is a MBE, place the term MBE in the space provided. If the firm is neither a WBE nor MBE, place the word NO in the space provided.

**NOTE:** *This form may be reproduced if space is not sufficient to include all Subcontractors used on this billing.*

This Agency is authorized to request this information under the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq. (Formerly Ill. Rev. Stat. Ch 111-1/2, 1001 et seq.). Disclosure of this information is required. Failure to properly complete this form in its entirety may result in the delay or denial of any payment requested hereunder. This form has been approved by the Forms Management Center.

IL 532 2167  
 LPC 481 Jan. 98  
 BB:ct\WBE\_MBE.wpd





## Office of the Illinois State Fire Marshal

CERTIFIED MAIL - RECEIPT REQUESTED # 7001 2510 0002 3288 0443

February 19, 2003

Richard Karlock  
119 W Patton  
Paxton, IL 60957

**RECEIVED**

**FEB 24 2003**

**HDC ENGINEERING**

In Re: Facility No. 4-040683  
IEMA Incident No. 02-1180  
Farney's Garage / Karlock Service  
522 S Main St  
N. W. Corner Rt. 9 & 49  
Rankin, Vermilion Co., IL

Dear Applicant:

The Reimbursement Eligibility and Deductible Application received on January 24, 2003 for the above referenced occurrence has been reviewed. The following determinations have been made based upon this review.

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

**Eligible Tanks**

Tank 1 2,000-gallon Gasoline  
Tank 2 2,000-gallon Gasoline  
Tank 3 1,000-gallon Heating Oil  
Tank 4 500-gallon Used Oil  
Tank 5 1,000-gallon Gasoline

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

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

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

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

Aviation fuel

Heating oil

Kerosene

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

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

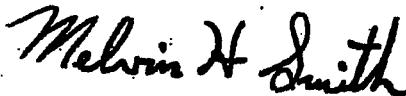
This constitutes the final decision as it relates to your eligibility and deductibility. We reserve the right to change the deductible determination should additional information that would change the determination become available. An underground storage tank owner or operator may appeal the decision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

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

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

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

Sincerely,



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

MHS: vlc

cc: IEPA  
Facility File  
HDC Engineering

# Tabulation of Invoices - Karlock Service Station/Farney's Garage

Invoice Order	Company Name	Invoice Number	Work Description	Invoice Amount
1	HDC Engineering	12675	Site Investigation	\$ 4,138.75
2	HDC Engineering	12974-2	Site Investigation	\$ 520.00
3	HDC Engineering	12990-1	Site Investigation	\$ 2,405.00
4	HDC Engineering	13317-1	Site Investigation	\$ 173.23
5	HDC Engineering	13722-2	Site Investigation	\$ 130.00
6	HDC Engineering	14136	Site Investigation	\$ 160.50
7	HDC Engineering	14236-2	Site Investigation	\$ 893.00
8	HDC Engineering	14297-2	Site Investigation	\$ 1,808.00
9	HDC Engineering	14445-2	Site Investigation	\$ 12,612.69
10	HDC Engineering	14577-2	Site Investigation	\$ 2,998.88
11	HDC Engineering	14810-2	Site Investigation	\$ 405.00
Subtotal				\$ 26,245.05
12	United Rentals	39111184-001	Core Drill	\$ 100.00
13	In-Situ Rentals	36537	Data Logger	\$ 279.27
14	Great Lakes Analytical	B402166-HDCE9	Sample Analysis	\$ 406.12
15	Great Lakes Analytical	B404033-HDCE9	Sample Analysis	\$ 804.03
16	Great Lakes Analytical	B403245-HDCE9	Sample Analysis	\$ 1,715.63
17	Great Lakes Analytical	B403155-HDCE9	Sample Analysis	\$ 1,180.45
Subtotal				\$ 4,106.23
18	Western Environmental Services	04-514	Well Installation	\$ 3,586.50
19	Lowe's	008008397779	Fittings	\$ 16.40

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 12675  
Date 03/31/03  
Client No. 00884.01380

For Farney's Garage

Professional services from February 1, 2003 through March 31, 2003

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## SITE INVESTIGATION

Project Manager - Jones	23.25 hrs. @ \$95.00/hr.	\$2208.75
Site plan and budget, reporting, mapping		
Environmental Professional II - Laros	29.50 hrs. @ \$65.00/hr.	\$1917.50
Site investigation work plan and budget, site work, mapping		
Draft	.25 hrs. @ \$50.00/hr.	\$12.50

**TOTAL THIS INVOICE**

**\$4138.75**

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock

515 So. Johnson

Rankin, IL 60960

Invoice No. 12974 - 2 Revised

Date 04/30/2003

Client No. 00884.01380

For Farney's Garage - Site Investigation

Professional services through April 1, 2003 through April 30, 2003

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## Site Investigation

Environmental Professional II - Laros

8.00 hrs. @ \$65.00/hr.

\$ 520.00

Property access, mapping, reporting

**TOTAL THIS INVOICE**

**\$ 520.00**

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 12990 - 1 Revised

Date 05/31/03

Client No. 00884.01380

For Farney's Garage - Site Investigation

Professional services from May 1, 2003 through May 31, 2003

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## Site Investigation

Environmental Professional II - Laros	24.00 hrs. @ \$65.00/hr.	\$ 1,560.00
SIWP & B preparation, property access, mapping, reporting		
Environmental Professional II - Saylor	13.00 hrs. @ \$65.00/hr.	\$ 845.00
Plan, design, mapping, reporting		

**TOTAL THIS INVOICE**

**\$ 2,405.00**

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 13317 - 1 Revised

Date 07/31/03

Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from June 1, 2003 through July 31, 2003.

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## Site Investigation

Professional Engineer - Saylor Reporting	.25 hrs. @ \$75.00/hr.	\$ 18.75
Environmental Professional II - Laros CAP	2.00 hrs. @ \$65.00/hr.	\$ 130.00
Mileage	68 miles @ \$0.36/mile	\$ 24.48

**TOTAL THIS INVOICE**

**\$ 173.23**

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 13722 - 2 Revised  
Date 10/31/03  
Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from August 1, 2003 through October 31, 2003

---

## Site Investigation

Environmental Professional II - Laros  
Reporting

2.00 hrs. @ \$65.00/hr.

\$ 130.00

**TOTAL THIS INVOICE**

**\$ 130.00**

Thank you,  
HDC Engineering

J. Mike Jones, Principal



# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 14136 Revised

Date 12/31/03

Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from November 1, 2003 through December 31, 2003

---

## Site Investigation

Project Engineer - Saylor Delineation	.25 hrs. @ \$82.00/hr.	\$ 20.50
Environmental Professional III - Laros Delineation	1.50 hrs. @ \$75.00/hr.	\$ 112.50
Environmental Professional II - Davis Site work	.50 hrs. @ \$55.00/hr.	\$ 27.50

**TOTAL THIS INVOICE**

**\$ 160.50**

Thank you,  
HDC Engineering

J. Mike Jones, Principal

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 14236 - 2 Revised  
Date 01/31/04  
Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from January 1, 2004 through January 31, 2004

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## Site Investigation

Project Engineer - Saylor Report	2.00 hrs. @ \$82.00/hr.	\$ 164.00
Environmental Professional III - Laros Report, budget	3.00 hrs. @ \$75.00/hr.	\$ 225.00
Environmental Professional III - Walsh Budget	7.00 hrs. @ \$72.00/hr.	\$ 504.00

**TOTAL THIS INVOICE**

**\$ 893.00**

Thank you,  
HDC Engineering

J. Mike Jones, Principal

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 14297 - 2 Revised  
Date 02/29/04  
Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from February 1, 2004 through February 29, 2004

---

## Site Investigation

Environmental Professional III - Fish Report	.50 hrs. @ \$72.00/hr.	\$ 36.00
Environmental Professional III - Walsh Drilling, sampling	18.50 hrs. @ \$72.00/hr.	\$ 1,332.00
Environmental Professional II - Davis Drilling	8.00 hrs. @ \$55.00/hr.	\$ 440.00

**TOTAL THIS INVOICE**

**\$ 1,808.00**

Thank you,  
HDC Engineering

J. Mike Jones, Principal

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR  
P. O. BOX 140  
CHAMPAIGN, IL 61824-0140  
(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 14445 - 2 Revised  
Date 03/31/04  
Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from MARCH 1, 2004 through MARCH 31, 2004

---

## Site Investigation

### PERSONNEL:

Professional Engineer - Saylor Report	.50 hrs. @ \$82.00/hr.	\$ 41.00
Environmental Professional III - Laros Drilling, sampling	5.75 hrs. @ \$75.00/hr.	\$ 431.25
Environmental Professional III - Fish Reporting	4.25 hrs. @ \$72.00/hr.	\$ 306.00
Environmental Professional III - Walsh Drilling	50.00 hrs. @ \$72.00/hr.	\$ 3,600.00
Drafting:	3.75 hrs. @ \$45.00/hr	\$ 168.75
<b>SUBTOTAL</b>		<b>\$ 4,547.00</b>

### EQUIPMENT:

Drilling	90 ft. @ \$12.50/ft.	\$ 1,125.00
Geoprobe	1 day @ \$400.00/day	\$ 400.00
Sampling Supplies	2 days @ \$50.00/day	\$ 100.00
PID	2 days @ \$100.00/day	\$ 200.00
Drum	5 @ \$35.00/each	\$ 175.00
Water Level Indicator	2 days @ \$30.00/day	\$ 60.00

(Equipment Continued)

Pump	2 days @ \$40.00/day	\$ 80.00
Survey Equipment	1 day @ \$50.00/day	\$ 50.00
Decontamination Equip	1 day @ \$190.00/day	\$ 190.00
Decon/Drumming labor	2.00 hrs @ \$38.00/hr.	\$ 76.00
Prints	1 print @ \$1.00/each	\$ 1.00
<b>SUBTOTAL</b>		<b>\$ 2,457.00</b>

SUBCONTRACTORS/FIELD

United Rentals	\$ 100.00
Great Lakes Analytical	\$ 406.12
Great Lakes Analytical	\$ 1,180.45
Western Environmental	\$ 3,586.50
Lowe's	\$ 16.40
<b>SUBTOTAL</b>	<b>\$ 5,289.47</b>

HANDLING FEE

\$ 264.47

Mileage

146 miles @ .375/mile

\$ 54.75

**SUBTOTAL** **\$ 319.22**

**TOTAL THIS INVOICE**

**\$ 12,612.69**

Thank you,  
HDC Engineering

J. Mike Jones, Principal

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR  
P. O. BOX 140  
CHAMPAIGN, IL 61824-0140  
(217) 352-6976

Mr. Richard Karlock  
515 So. Johnson  
Rankin, IL 60960

Invoice No. 14577 - 2 Revised  
Date 04/30/04  
Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from April 1, 2004 through April 30, 2004

---

## Site Investigation

### Subcontractors:

Great Lakes		\$ 2,519.66
In-Situ Rentals (data logger)	3 days @ \$93.09/day	\$ 279.27
Handling Fee		\$ 139.95
Mileage	160 miles @ .375/mile	\$ 60.00

**TOTAL THIS INVOICE**

**\$ 2,998.88**

Thank you,  
HDC Engineering

J. Mike Jones, Principal

# HDC ENGINEERING

201 W. SPRINGFIELD, 3rd FLOOR

P. O. BOX 140

CHAMPAIGN, IL 61824-0140

(217) 352-6976

Mr. Richard Karlock

515 So. Johnson

Rankin, IL 60960

Invoice No. 14810 - 2 Revised

Date 05/31/04

Client No. 00884.01380

For Site Investigation - Farney's Garage

Professional services from May 1, 2004 through May 31, 2004

---

## Site Investigation

Environmental Professional I - Garcia Well Development, Site Work	4.00 hrs. @ \$40.00/hr.	\$ 160.00
Prints		\$ 2.50
Mileage	500 miles @ .375/mile	\$ 187.50
Drafting	1.00 hr @ \$55.00/hr.	\$ 55.00

**TOTAL THIS INVOICE**

**\$ 405.00**

Thank you,  
HDC Engineering

J. Mike Jones, Principal



CHAMPAIGN, IL 61820  
217-351-5820

# RENTAL RETURN INVOICE

Job Site

HDC ENGINEERING, INC  
BRAKES  
FISHER, IL 61843

C#: 217-352-6976 J#: 217-352-6976

Customer

HDC ENGINEERING, INC  
201 W. SPRINGFIELD  
PO BOX 140  
CHAMPAIGN, IL 61853

Customer.... 694597  
Invoice #... 39111184-001  
Invoice date 3/08/04  
Date out.... 3/08/04 7:57 AM  
Date in.... 3/08/04 4:48 PM  
Job Loc..... BRAKES, FISHER  
Job No..... 5 - HDC ENGINEERING  
P.O. #..... 01032  
Ordered By... PHIL  
Written by... URB30GL  
Salesperson.. 3575  
Terms..... Net 30 Days

PLEASE REMIT PAYMENT TO:  
UNITED RENTALS NORTHWEST, INC.  
PO BOX 503330  
ST. LOUIS, MO 63150-3330

Qty	Equipment #	Min	Day	Week	4 Week	Amc
1	CORE DRILL MACHINE RR1807000	50.00	55.00	165.00	460.00	55
1	DIAMOND CORE BIT 4 IN	35.00	45.00	108.00	280.00	45

Sub-total: 100.  
Total: 100.

RENTAL PROTECTION DECLINED

OK FBW

KARLOCK 01380

\*ENVIRONMENTAL CHARGE: The items indicated above are subject to an environmental charge which is designed to recover the company's direct and indirect expenses for the handling, managing and disposing of white products, hazardous materials, and related administrative costs. This is not a government mandated charge.  
FUEL: Fuel charges do not include federal, state or local fuel excise taxes.

**OPTIONAL RENTAL PROTECTION PLAN: THE RENTAL PROTECTION PLAN IS NOT INSURANCE** Upon accepting the Optional Rental Protection Plan, the Customer agrees to pay a charge equal to 15% of the rental charges on Equipment Customer wants covered by the Rental Protection Plan in return, as set out on the back page. United agrees to waive certain claims for accidental damage and covered Equipment occurring during normal and careful use. Customer remains liable for all damages and loss due to theft listed under the Rental Protection Plan provisions in the Terms & Conditions on back page, including Customer's negligence. **Customer Accepts** ( ) **Customer Declines** ( )

**READ BEFORE SIGNING:** United hereby leases to Customer the Equipment (as defined in the Terms and Conditions on the reverse side) and Customer hereby accepts all **TERMS AND CONDITIONS** set forth in this rental agreement, including the Terms and Conditions set forth on the reverse side, which the undersigned has read and understands. **REMARKS:** (1) Rates do not include fuel or delivery; (2) Optional Rental Protection Plan charge is 15% of the total rental charge for covered equipment; (3) Customer pays for all time the Equipment is out, including Saturdays, Sundays and Holidays; (4) The rental agreement supersedes all other purchase orders or terms and conditions contained in any of Customer's agreements or forms; (5) Customer assumes all risk and is responsible for all damage and other costs, including late charges. Details of the above as well as other obligations and responsibilities are contained in the **TERMS AND CONDITIONS ON REVERSE**. THE INDIVIDUAL SIGNING BELOW **AS OR ON BEHALF OF CUSTOMER** (1) **AGREES TO ALL OF THE TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS RENTAL AGREEMENT**, (2) **ACKNOWLEDGES RECEIPT OF THE EQUIPMENT** IN GOOD WORKING ORDER AND, (3) **IS FULLY FAMILIAR WITH ITS OPERATION AND USE.**

x FBW 3-8-04 BILL WAISH  
CUSTOMER SIGNATURE DATE NAME PRINTED DELIVERED BY DATE

A LARGER FONT COPY OF THE TERMS AND CONDITIONS IS AVAILABLE UPON REQUEST.



# In-Situ Rentals

Brought to you by



210 S. Third Street • P.O. Box 907 • Laramie, WY 82073-0907 US/  
Tel: 307.742.8213 • 888.880.4862 • Fax: 307.721.7528 • Internet: www.in-situ.com

Invoice No: 36537

Date: 03/30/2004

Page 1

## INVOICE

### Bill To:

Bill Walsh  
HDC ENGINEERING IL  
201 WEST SPRINGFIELD  
SUITE 300

CHAMPAIGN, IL 61821

### Ship To:

Bill Walsh  
HDC Engineering  
FedEx Hold for pickup  
2007 Federal Way

Urbana, IL 61801

Order No	Account No	Salesperson	Order Date	Terms	Pay Method	Ship Via	Customer PO
11357	005967	Jason Evans	03/23/2004	Net 30	PO	FedEx P1	01380

### Cust Ship Acct:

### Memo:

Line #	Serial #	Product Description	Billing	Start Date	Shipped	Returned	Inv From	Inv Thru	Dly/Wkly/Mntly/Dly>31	Rate	Qty	Unit Price	Extended Price
1	R09146	miniTROLL-Comm Cable w/ 485-232 Adptr.		03/24/2004	03/23/2004	03/30/2004	03/24/2004	03/29/2004	\$1.00/4.00/12.00/1.00		1	\$4.00	\$4.00
2	R05356	miniTROLL-30 PSI Battery Power		03/24/2004	03/23/2004	03/30/2004	03/24/2004	03/29/2004	\$37.00/160.00/475.00/15.00		1	\$160.00	\$160.00
3	R08505	MPT/miniTROLL-50' FEP w/o Reel		03/24/2004	03/23/2004	03/30/2004	03/24/2004	03/29/2004	\$18.00/60.00/175.00/5.00		1	\$60.00	\$60.00

Subtotal: \$224.00

Shipping: \$41.27

Tax: \$14.00

Total: \$279.27

OK  
BW

RECEIVED  
APR 05 2004  
HDC ENGINEERING



1380 Busch Parkway  
Buffalo Grove, Illinois 60089

Email: info@glalabs.com  
(847) 808-7766 FAX (847) 808-7772

## INVOICE

**Invoice To:**

Accounts Payable  
HDC Engineering, Inc.  
201 W. Springfield Ave. Suite 300  
Champaign, IL 61824

**Invoice Number**

B404033-HDCE9

**Remit To:**

Accounts Receivable  
Great Lakes Analytical  
P.O. Box 88485, Dept. A  
Chicago, Illinois 60680-1485

**PO Number****Received**

03/25/04

**Project**

Karloack

**Client**

Bill Walsh  
HDC Engineering, Inc.

**Terms**

NET 30

**Project Number**

01380

**Project Manager**

Andy Johnson

**Work Order(s)**

B403516

Quantity	Analysis/Description	Matrix	Unit Cost	Extended Cost
Great Lakes Analytical—Buffalo Grove				
1	BTEXM 5030/8021 W [5 day]	Water	\$46.58	\$46.58
5	BTEXM/PNA 5030/8021W [5 day]	Water	\$138.16	\$690.80
5	Pb Total GFAA 7421 [5 day]	Water	\$13.33	\$66.65

Invoice Total: \$804.03

55403  
4850.52

EXP BILLED

OK  
BW

RECEIVED

APR 09 2004

HDC ENGINEERING



**GREAT  
LAKES  
ANALYTICAL**

1380 Busch Parkway  
Buffalo Grove, Illinois 60089

Email: info@glalabs.com  
(847) 808-7766 FAX (847) 808-777

## INVOICE

**Invoice To:**

Accounts Payable  
HDC Engineering, Inc.  
201 W. Springfield Ave. Suite 300  
Champaign, IL 61824

**Invoice Number**

B402166-HDCE9

**Remit To:**

Accounts Receivable  
Great Lakes Analytical  
P.O. Box 88485, Dept. A  
Chicago, Illinois 60680-1485

**PO Number**

NA

**Received**

02/17/04

**Project**

Karloak

**Client**

Bill Walsh  
HDC Engineering, Inc.

**Terms**

NET 30

**Project Number**

01380

**Project Manager**

Andy Johnson

**Work Order(s)**

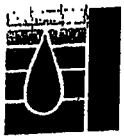
B402236

Quantity	Analysis/Description	Matrix	Unit Cost	Extended Cost
<b>Great Lakes Analytical--Buffalo Grove</b>				
1	8270 BN [5 day]	Soil	\$253.12	\$253.12
1	HVOC 8260 [5 day]	Soil	\$153.00	\$153.00

**Invoice Total: \$406.12**

OK  
BW

**RECEIVED  
MAR 15 2004  
HDC ENGINEERING**



**GREAT  
LAKES  
ANALYTICAL**

1380 Busch Parkway  
Buffalo Grove, Illinois 60089

Email: info@glalabs.com  
(847) 808-7766 FAX (847) 808-7772

## INVOICE

**Invoice To:**

Accounts Payable  
HDC Engineering, Inc.  
201 W. Springfield Ave. Suite 300  
Champaign, IL 61824

**Invoice Number**

B403245-HDCE9

**Remit To:**

Accounts Receivable  
Great Lakes Analytical  
P.O. Box 88485, Dept. A  
Chicago, Illinois 60680-1485

**PO Number**

**Received**

03/16/04

**Project**

Karloack

**Client**

Bill Walsh  
HDC Engineering, Inc.

**Terms**

NET 30

**Project Number**

01380

**Project Manager**

Andy Johnson

**Work Order(s)**

B403358

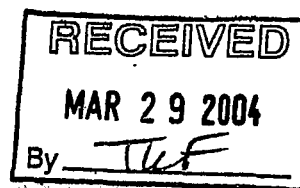
Quantity	Analysis/Description	Matrix	Unit Cost	Extended Cost
Great Lakes Analytical--Buffalo Grove				
7	BTEXM/PNA 5035/8021 [5 day]	Soil	\$162.23	\$1,135.61
7	Pb TCLP GFAA 7421 [5 day]	Soil	\$69.53	\$486.71
7	Pb Total ICP 6010B [5 day]	Soil	\$13.33	\$93.31

Invoice Total: \$1,715.63

55403  
4850.52

EXP BILLED

Ok FRW



# INVOICE

**Invoice To:**

Accounts Payable  
HDC Engineering, Inc.  
201 W. Springfield Ave. Suite 300  
Champaign, IL 61820

**Invoice Number**

B403155-HDCE9

**Invoiced On:**

03/15/04

**Received**

03/05/04

**Terms**

NET 30

**Work Order(s)**

B403124

**Remit To:**

Accounts Receivable  
Great Lakes Analytical  
P.O. Box 88485, Dept. A  
Chicago, Illinois 60680-1485

**Project**

Karlock

**Project Number**

01380

**PO Number**

NA

**Client**

Bill Walsh  
HDC Engineering, Inc.

**Project Manager**

Andy Johnson

Quantity	Analysis/Description	Matrix	Unit Cost	Extended Cost
<b>Great Lakes Analytical—Buffalo Grove</b>				
5	BTEXM/PNA 5035/8021 [5 day]	Soil	\$153.23	\$766.15
5	Pb TCLP GFAA 7421 [5 day]	Soil	\$69.53	\$347.65
5	Pb Total ICP 6010B [5 day]	Soil	\$13.33	\$66.65
			<b>Invoice Total:</b>	<b>\$1,180.45</b>

55542  
4850.52

# Invoice

## Western

### Environmental Services, Inc.

2665 Prairie College Road  
Jacksonville, IL 62650

Phone: (217)243-3822

Fax: (217)245-1475

Invoice No.

Invoice Date

File Name

00884.

#04-514

3/16/2004

HDC

work performed

3/3/2004

**EXP BILLED**

#### Project Info.

Karloek Service Station/Farney's Garage  
522 South Main Street  
Rankin, Illinois

#### Client

HDC Engineering, Inc.  
201 W. Spfld Ave., Suite 300  
Champaign, IL 61824

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
1	LS	Mobilization	Lump Sum	\$250.00
75	Per Ft.	Drilling(with continuous sampling)	\$12.50	\$937.50
1	Per Day	Decon Equipment	\$190.00	\$190.00
3	Per Hr	Decon/Drumming Labor	\$38.00	\$114.00
3	Per Man	Per Diem (3 Man Crew)	\$85.00	\$255.00
		Monitoring Well Installation		
3	Per Hour	Rig Time	\$75.00	\$225.00
5	Per Hr/2 Men	Labor	\$76.00	\$380.00
			SUBTOTAL	\$2,351.50
			Material	\$1,235.00
			TOTAL	\$3,586.50

Questions concerning this invoice?

Call:

Tony Jachino  
217-243-3822

#### MAKE ALL CHECKS PAYABLE TO:

Western Environmental Services, Inc.  
2665 Prairie College Rd.  
Jacksonville, IL 62650

# Materials

**Western**  
Environmental Services, Inc.

Page 2 of 2  
Invoice No #04-514

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
5	10.0'	2" PVC Screen	\$35.00	\$175.00
5	5.0'	2" PVC Riser	\$15.60	\$78.00
5		2" PVC Bottom Plug	\$8.00	\$40.00
5		Expanding Locking Cap	\$17.60	\$88.00
5	8"	Manway	\$82.00	\$410.00
35	50 lb.	Washed Silica Sand	\$8.00	\$280.00
8	50 lb.	Bentonite Chips	\$12.00	\$96.00
8	80 lb.	Ready Mix Concrete	\$8.50	\$68.00

**SUBTOTAL**

**\$1,235.00**



Improving Home Improvement

# Invoice



REMIT TO:  
PO BOX 281791  
ATLANTA, GA  
30384-1791

50872  
4850.52

LOWE'S HOME CENTERS, INC.  
CPI 0080  
1904 NORTH PROSPECT AVE.  
CHAMPAIGN IL 61820

Please check the merchandise you are purchasing to ensure all items are received as Lowe's cannot be responsible for shortages after you leave Lowe's warehouse. Your signature acknowledges Lo delivery and your receipt the date set forth below of all items of merchandise, except those items noted as being for later delivery [e.g., LD=Lowe's Delivery; PL=Pick-up Later; SOS=Special Order or WH= Warehouse or back of store pick-up]. Not signing acknowledgement of receipt, however, does not mean that such merchandise was not delivered. All claims and return merchandise MUST be accompanied by this invoice and made within 30 days of delivery for credit or refund. This document may also evidence a return of merchandise described below if "Return" is printed with refer to an item. In such instance you will be given credit or cash as described and your signature represents your acknowledgment of the accuracy of the terms and conditions of the return. SEE BELOW FOR [1] PAYMENT TERMS AND CONDITIONS FOR CERTAIN PURCHASES AND [2] WARRANTY INFORMATION AND AGREEMENTS. DO NOT SIGN THIS INVOICE UNTIL COMPLETE AND YOU HAVE RECEIVED AND ACCEPTED THE MERCHANDISE CURRENTLY BEING DELIVERED TO YOU AND YOU HAVE READ THIS DOCUMENT. YOUR SIGNATURE CONSTITUTES YOUR AGREEMENT WITH APPLICABLE PROVISIONS LISTED BELOW. YOU ARE ENTITLED TO A COPY OF THE INVOICE.

HDC 3000

*[Handwritten Signature]*

PURCHASER SIGNATURE

TRANSACTION		CUSTOMER		DATE	PAGE	INVOICE NUMBER
R CHARGE		HDC ENGINEERING INC GENERAL		03/23/04	1	008008397779
# LOADED INITIAL	LOAD	QTY/UNIT	ITEM #	DESCRIPTION	UNIT PRICE	EXT. PRICE
				PURCHASER: PHIL DAVIS		
		1 EA	115155	SS CP FLAT WASHERS 1/4"	2.77	2.77
	CW			MODEL NUMBER: 882400		
		1 EA	58082	1/4-20 LOCK NUT NYL INS	0.88	0.88
	CW			MODEL NUMBER: 490631		
		1 EA	136732	SS EYE BOLT 1/4" (QTY2)	2.47	2.47
	CW			MODEL NUMBER: 881853		
		2 EA	22461	3/4"GALVANIZED CAP311CA34/0105900	0.96	1.92
	CW			MODEL NUMBER: 22461		
		1 EA	24013	PIPE TH 3/4X48"GAL 0215900	7.22	7.22
	CW			MODEL NUMBER: ELL5-GLB		
				SUBTOTAL		15.26

03/23/04 CUS  
CHARGE

16.40

SALES #: 000254285

KAREN BUTTON ACCT#: 0449238-0080-002963

XP BILLED

PAYMENT TERMS AND CONDITIONS: The following terms and conditions apply to [1] Business Charge Account purchases [but without limiting or negating the complete terms and conditions of such Business Charge Account] and purchases not paid for in full at time of purchase, and [3] any purchase involving a purchase order or other document [unless the terms and conditions of such have been expressly approved in writing by Lowe's]. Any open or credit card account available from or through Lowe's [including Lowe's Revolving Credit Agreement and Lowe's Business Revolving Credit Account Agreement] is not subject to these payment terms and conditions, but is subject to payment terms and conditions of such account. Lowe's regular billing date is the 25th of each month, with the balance due and payable net by the 10th of the following month. If your Business Charge account balance or purchase is by the 10th of the month next following billing or the purchase of merchandise, respectively, only the NET AMOUNT of the billing statement or purchase, respectively, will be payable. If not paid by the 10th, the account or your obligation to pay for the purchase is past due and in default, and A LATE CHARGE OR SERVICE CHARGE MAY BE MADE IN THE AMOUNT OF 1 1/2% PER MONTH OR 18% ANNUALLY, CALCULATED ON THE 25TH DAY OF EACH MONTH ON THE BALANCE AS OF THE 25TH DATE OF THE PREVIOUS MONTH [less payment and credits to said balance] UNTIL PAYMENT IN FULL IS MADE. DIFFERENT SERVICE CHARGE IS APPLICABLE PURCHASES IN THE FOLLOWING STATES: AR AND TX - .833% monthly, 10% annually; MD - 1% monthly, 12% annually; PA - 1.25% monthly, 15% annually; MS - 1.75% monthly, 21% annually; IL - 1.8% monthly, 2% annually; DE - 2% monthly, 24% annually.

LIMITED WARRANTY: This consumer product warranty is applicable to products used for personal, family or household purposes. It is not applicable to commercial transactions or products purchased for purposes of resale. Lowe's will repair or replace defective products, where necessary, for ninety (90) days from purchase. ALL EXPRESS AND IMPLIED WARRANTIES INCLUDING EXPRESS WARRANTIES OF FITNESS FOR PARTICULAR PURPOSE AND IMPLIED WARRANTY OF MERCHANTABILITY ARE LIMITED FOR THE SAME 90 DAY PERIOD. Some states do not allow limitation on how long an implied warranty lasts so such limitation may not apply. There shall be no remedy other than repair or replacement of the product. INCIDENTAL OR CONSEQUENTIAL DAMAGES FOR LOSS PROFITS, SALES, LABOR, INJURY TO PERSON OR PROPERTY OR OTHER INCIDENT OR CONSEQUENTIAL DAMAGES ARE EXCLUDED FROM THE WARRANTY. Some states do not allow exclusion or limitation of incidental or consequential damages so such exclusion may not apply. This warranty gives you specific legal rights and you may have other rights which vary from state to state. In event of defect or for further information regarding warranty performance, please contact your local Lowe's Store Manager or Lowe's Companies, Inc., Customer Relations, Box 1111, North Wilkesboro, NC 28656, Telephone (336) 658-4000.

WARRANTY FOR COMMERCIAL PURPOSES: This constitutes the agreement between Purchaser named on the face hereof and Lowe's [also referred to as Seller]. The following provisions apply notwithstanding Purchaser's not signing of the face hereof if Purchaser accepts delivery of merchandise.

1. Purchaser agrees that it's sole and exclusive remedy against Seller shall be for repair or replacement of any defective merchandise as provided herein. Purchaser agrees that no other remedy, including but not limited to incidents consequential damages for lost profits, sales, labor, injury to person or property or any other incidental or consequential loss, shall be available to Purchaser. This warranty shall be IN LIEU OF any other warranty, expressed or implied including but not limited to ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PARTICULAR PURPOSE.

2. In event of dispute, if Purchaser either properly and lawfully rejects merchandise which does not conform to agreement or properly and lawfully revokes acceptance of such merchandise, Seller shall have a reasonable time after notification by Purchaser of any problems or defects to substitute conforming merchandise either by replacement of such non-conforming merchandise with conforming merchandise or by effecting repair or adjustment to the original merchandise. Merchandise to be returned must be accompanied by the original invoice or proof of purchase by the original Purchaser for refund or replacement. This shall include the repair or replacement of any necessary essential parts. The event non-conforming merchandise cannot be made conforming or conforming merchandise cannot be furnished in substitution thereof, the non-conforming merchandise may be returned by the Purchaser to Seller at point of sale by S to Purchaser. THE LIABILITY OF SELLER IN THIS EVENT IS LIMITED TO ACCEPTANCE OF RETURNED NON-CONFORMING MERCHANDISE AND REFUND OF PURCHASE PRICE OR BY CREDIT OF THE PURCHASE PRICE TO PURCHASER'S BUSINESS CHARGE ACCOUNT OR BALANCE OWING TO SELLER, PLUS A PROPORTIONATE AMOUNT OF ANY FINANCE CHARGES INCURRED.

3. Even when Purchaser has the right to return non-conforming merchandise, this right is contingent upon notice to Seller, at least ten (10) days prior to date of proposed return. This to alert Seller of the time and place of the proposed return along with a description of what merchandise is in fact to be returned. It is expressly agreed that Seller may decline to permit return of non-conforming merchandise and direct other disposition of the merchandise by Purchaser at Seller's expense.

4. Seller's liability for non-conforming merchandise shall be limited either to conforming or replacing defective or non-conforming merchandise with conforming merchandise at Seller's election. Seller's obligation to conform or replace non-conforming merchandise shall terminate ninety (90) days after purchaser's receipt of the merchandise.

5. The above remedies are expressly agreed to be the sole and exclusive remedies available to Purchaser. This to protect Purchaser with respect to the merchandise listed on the face hereof and not to protect or indemnify Purchaser in any way with respect to the value or market price of the merchandise or with respect to the intended use or consequences of any furnishing or intent to furnish to third persons by Purchaser in the conduct and course of Purchaser's business.

6. Any action by Purchaser instituted against Seller for any breach of this agreement must be commenced within one year from the accrual of cause of action. The terms and conditions of this agreement shall be governed by the laws North Carolina.

7. This "WARRANTY FOR COMMERCIAL PURPOSES" contains the totality of the agreement between the parties and is intended as the final expression of the agreement with respect to matters regulated thereby. THIS AGREEMENT IS BINDING UPON THE SUCCESSORS AND ASSIGNS OF THE PARTIES. THERE MAY BE NO MODIFICATION OR RESCISSION OF THIS AGREEMENT EXCEPT BY WRITTEN INSTRUMENT SIGNED BY THE PARTIES.

8. PURCHASER AGREES TO INDEMNIFY LOWE'S OF AND FROM ANY AND ALL DAMAGE WHICH MAY OCCUR, WHETHER A RESULT OF LOWE'S NEGLIGENCE OR NOT, TO THE LAND OR IMPROVEMENT LOCATED AT THE PLACE OF DELIVERY.

9. Lowe's is a supplier of merchandise only. Lowe's does not engage in the practice of engineering, architecture or general contracting. Lowe's does not assume any responsibility for design, engineering or construction; for the selection or choice of materials for a general or specific use; for quantities or sizing of materials; for the use or installation of materials or for compliance with any building code or standard of workmanship.





OFFICE OF THE ILLINOIS STATE FIRE MARSHAL  
Division of Petroleum and Chemical Safety  
1035 Stevenson Drive  
Springfield, Illinois 62703-4259  
(217)785-1020 or (217)785-5878

FOR OFFICE USE ONLY  
Facility # 4-040683  
Permit # 02169-200  
Request Rec'd 12/27/2002  
Amended Date  
Approval Date 12/26/2002  
Permit Expires 06/26/2003  
Commencement Date As Directed

**Permit for REMOVAL of Underground Storage Tank(s) and Piping for Petroleum and Hazardous Substances.**

Permission to remove underground storage tank(s) or piping is hereby granted. Such removal shall not commence until the contractor or the permittee issued to or an employee of that contractor (this does not include a subcontractor) shall establish a date certain to perform the UST activity by call the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, by telephone at the Springfield office between 8:30 a.m. and 1 p.m. at which time a mutually agreed upon date and time for the UST activity shall be scheduled. **THIS PERMIT IS VALID FOR SIX MONTHS FROM THE APPROVAL DATE.**

**(1) OWNER OF TANKS** - Corporation, partnership, or other business entity:

Richard Karlock  
119 W Patton,  
Paxton, IL 60957

Contact: Richard Karlock (217) 379-4530

**(2) FACILITY** - name and address where tanks are located:

Farney's Garage / Karlock Service  
522 S Main St, W. Corner Rt. 9 & 49  
Rankin, Vermillion Co., IL

Contact: Richard Karlock (217) 379-4530

**(3) REMOVAL OF TANKS:**

(a) Number and size of tanks being removed: (TK # 1, 2) - 2,000 gallons, (TK # 3, 4, 5) - 500 gallons

(b) Product stored in each tank: (TK # 1, 2, 5) - Gasoline, (TK # 3) - Heating Oil, (TK # 4) - Used Oil

(c) Reason of tanks being removed: No longer used

(d) If tank(s) is leaking, indicate IEMA incident number: 02-1180

(e) Date each tank was last used: (TK # 1, 2, 3, 4, 5) - 12/31/1984

*Scheduled for  
Jan 14 all.*

(4) Owner must notify this Office when completion of tank removal has occurred, on the Notification Form for Underground Storage Tank Removal. Please note a Notification form has been forwarded to the name and address shown in Item 1 (All pages of this form must be completed). After removal is completed, the owner/operator shall perform a site assessment by measuring for the presence of a release. Contamination is most likely to be present at the UST site. This is in accordance with the Illinois Administrative Code 170.640 (a) regulation and 40 CFR Part 280.72 (a) Federal Register Requirement.

**(5) SPECIAL CONTINGENCIES:**

**(6) PERSON, FIRM OR COMPANY PERFORMING WORK:**

HDC Engineering, Inc.  
201 W. Springfield, Suite 300  
Champaign, IL 61824

Contact Person: J Mike Jones  
Phone: 217-352-6976

Contractor Registration # IL-002260 Exp. 09/06/2003

Sincerely,

*James J. Coffey*  
James J. Coffey - Engineering Technician

cc: Storage Tank Safety Specialist - Kirk  
Fire Department  
Office Coordinator - CS  
Division File  
(Rev. - 1/98)

WDT:

*Jul 16 - Mike Roy  
0060512*

**PETITIONER'S EXHIBIT "2"**



# 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

DEC 10 2004

RECEIVED

DEC 13 2004

HDC ENGINEERING

Richard Karlock  
515 So. Johnson  
Rankin, Illinois 60960

**EXHIBIT A**

Re: LPC #1830705004 -- Vermilion County  
Rankin/Karlock, Richard  
522 South Main St.  
LUST Incident No. 20021180  
LUST FISCAL FILE

Dear Mr. Karlock:

The Illinois Environmental Protection Agency has completed the review of your application for payment from the Underground Storage Tank Fund for the above-referenced LUST incident pursuant to Section 57.8(a) of the Illinois Environmental Protection Act (Act), and 35 Ill. Adm. Code 732, Subpart F. This information is dated September 14, 2004 and was received by the Agency on September 16, 2004. The application for payment covers the period from February 1, 2003 to August 18, 2004. The amount requested is \$26,245.05.

The deductible amount for this claim is \$15,000.00, which was previously deducted from the billing submittal received by the Agency on February 25, 2003 for \$95,273.27. There are costs from this claim that are not being paid. Listed in Attachment A are the costs that are not being paid and the reasons these costs are not being paid.

On September 16, 2004, the Agency received your complete application for payment for this claim. As a result of the Agency's review of this application for payment, a voucher cannot be prepared for submission to the Comptroller's office for payment. Subsequent applications for payment that have been/are submitted will be processed based upon the date complete subsequent application for payment requests are received by the Agency. This constitutes the Agency's final action with regard to the above application(s) for payment.

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board (Board) pursuant to Section 57.8(i) and Section 40 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

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

applicant 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:

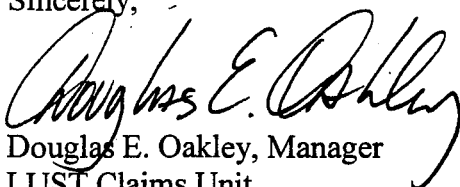
Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
312/814-3620

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

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

**If you have any questions or require further assistance, please contact Niki Weller of my staff at 217/782-6762.**

Sincerely,



Douglas E. Oakley, Manager  
LUST Claims Unit  
Planning & Reporting Section  
Bureau of Land

DEO:NW:bjh\04323.doc

Attachment

cc: HDC Engineering

Attachment A  
Accounting Deductions

Re: LPC #1830705004 -- Vermilion County  
Rankin/Karlock, Richard  
522 South Main St.  
LUST Incident No. 20021180  
LUST Fiscal File

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

Item #	Description of Deductions
--------	---------------------------

- |    |  |
|----|--|
| 1. | \$26,245.05, deduction for costs lacking supporting documentation. An approved site investigation completion report has not been submitted. (Sections 57.7(a)(5) and 57.12(c) and (d) of the Act and 35 Ill. Adm. Code 732.100 and 732.105). |
|----|--|

When the site investigation completion report has been approved, fax/send a copy of the Agency letter approving the site investigation completion report and request a re-review.

Also, the claim was missing the Owner/Operator Billing Certification Form. The form that was enclosed was for budget certification. I have enclosed a copy of the Billing Certification form.

DEO:NW:bjh\04323.doc

**PETITIONER'S EXHIBIT "3"**



January 4, 2005

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

Niki Weller  
LUST Claims Unit  
Illinois Environmental Protection Agency  
1021 North Grand avenue East  
PO Box 19276  
Springfield, Illinois 62794-9276

**EXHIBIT B**

Re: LPC #1830705004 – Vermilion County  
Rankin/Karlock, Richard  
522 South Main Street  
LUST Incident # 20021180  
LUST FISCAL FILE

Dear Ms. Weller:

Per our conversation, enclosed is the billing certification for the reimbursement package for the referenced site. Richard Karlock has authorized HDC to sign LUST program documents on his behalf; a copy of the authorization is also enclosed.

If you have any questions, please call myself or Kevin Saylor at (217) 352-6976.

Regards,  
HDC ENGINEERING

A handwritten signature in black ink, appearing to read "BW" or "Walsh", written in a cursive style.

Bill Walsh  
Environmental Professional

U.S. Postal Service™

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Walsh

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City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

NIKI WELER - IEPA

PO Box 19276

SPRINGFIELD IL 62794-9276

7003 2260 0001 3330 4242



Illinois Environmental Protection Agency

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

I hereby certify that the attached bills are for performing Site Investigation  
activities at Karlock Service Station / Farney's Garage LUST site for the billing  
period of March 1, 2003 to June 1, 2004. I further certify that the costs included in  
this billing are not for corrective action in excess of the minimum requirements of 415 ILCS 5/57. I further  
certify that costs ineligible for payment from the Fund pursuant to 35 Illinois Administrative Code Section  
732.606 are not included in this billing package. 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.

I further certify that this billing and all attachments thereto were prepared under my direction or supervision  
in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the  
information submitted therein. I affirm that the information is, to the best of my knowledge and belief, true,  
accurate and complete and the costs for remediating said LUST site are correct and reasonable. Such  
affirmation is made under penalty of perjury as defined in Section 32.2 of the Criminal Code of 1961, Ill.  
Rev. Stat. 1991, ch. 38, par. 32.2. I am aware that there are significant penalties for submitting false  
information, including the possibility of fine and imprisonment for knowingly committing violations.

Owner/Operator: Bill Walsh for Richard Karlock Title: Environmental Professional

Signature: [Signature] Date: 1-3-05

Subscribed and sworn to before me the 3rd day of January, 2005.  
(Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

[Signature] Seal:  
(Notary Public)

P.E.: Kevin Saylor Seal:

P.E. Signature: [Signature] Date: 1-3-05

Subscribed and sworn to before me the 3rd day of January, 2005.  
(Budget Proposals and Budget Amendments must be notarized when the certification is signed.)

[Signature] Seal:  
(Notary Public)

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.



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

September 5, 2002

To Whom It May Concern:

HDC Engineering is an authorized representative of Karlock Service Station to sign documents relating to the underground storage tank (UST) removal and site remediation activities located at 522 South Main Street, Rankin, IL 60960, commonly known as Karlock Service Station/Farley's Garage. The authorization extends to actions necessary to satisfy requirements from the Office of the Illinois State Fire Marshal, Illinois Environmental Protection Agency, landfill for soil disposal, laboratory for soil/water analysis, and other agencies and/or businesses concerning the above site for the work stated.

Respectfully,

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

Richard Karlock  
Karlock Service Station  
119 West Patton  
Paxton, IL 60957