

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott Niehaus, Village Manager
DATE: October 21, 2014 (BoT) DATE: November 6, 2014
TITLE: Highway Authority Agreement – 930 E. Roosevelt Road
SUBMITTED BY: David P. Gorman, Asst. Director of Public Works *DPG*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Public Works transmits for your consideration a resolution authorizing the signatures of the Village President and Village Clerk on a Limited Environmental Indemnity Agreement and Highway Authority Agreement for the property located at 930 E. Roosevelt Road.

FISCAL IMPACT/FUNDING SOURCE

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



TO: Scott R. Niehaus, Village Manager

THROUGH: Carl S. Goldsmith, Director of Public Works *CJ*

FROM: David P. Gorman, Asst. Director of Public Works *DPG*

SUBJECT: Highway Authority Agreement – 930 East Roosevelt Road

DATE: October 21, 2014

BACKGROUND

The Village received a request from Equilon Enterprises LLC, the owner of the Shell station located at 930 E. Roosevelt Road, to enter into a Highway Authority Agreement. That property was subject to a release of environmental petroleum as documented by the Illinois Emergency Management Agency (IEMA) in Incident Number 20081062. The petitioner has requested the Highway Authority Agreement (HAA) as a means to prevent the need for immediate removal of impacted soils in the public right-of-way adjacent to their property. A prior HAA was approved in 2006 for the same area, but for a different IEPA incident number, 97464174. Thus, this subsequent HAA is being requested.

Should the Village Board approve of the HAA, the petitioner would then be able to seek a No Further Remediation (NFR) letter from the IEPA. The issuance of a NFR letter by the IEPA is evidence that the petitioner has successfully demonstrated, through proper investigation and, where warranted, remedial action, that all environmental conditions at their site does not present a significant risk to human health or the environment. The NFR letter also signifies a release of the property owner from further responsibilities under the Illinois Environmental Protection Act and is generally considered that the site does not constitute a significant risk of harm to human health and the environment, so long as the site is utilized in accordance with the terms of the NFR letter.

Attached is a copy of a HAA for Village Board consideration. The Agreement provides the procedures and obligations to the property owner and the Village regarding the public right-of-way. The Agreement has been reviewed by the Village Attorney and has been found to sufficiently protect the Village's interests.

ACTION REQUESTED

Staff requests that the Village Board of Trustees approve A RESOLUTION AUTHORIZING SIGNATURE OF PRESIDENT AND CLERK ON A LIMITED ENVIRONMENTAL INDEMNITY AGREEMENT AND HIGHWAY AUTHORITY AGREEMENT for the property located at 930 E. Roosevelt Road.

RESOLUTION
R _____ 14

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON A LIMITED ENVIRONMENTAL INDEMNITY
AGREEMENT AND HIGHWAY AUTHORITY AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Limited Environmental Indemnity Agreement , as attached hereto and marked exhibit "A": and,

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Highway Authority Agreement, as attached hereto and marked Exhibit "B": and,

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to authorize the execution of the Agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said documents as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said Agreements as attached hereto.

Adopted this _____ day of _____, 2014.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2014.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

HIGHWAY AUTHORITY AGREEMENT

This Agreement is entered into this ___ day of _____, 2013 pursuant to 35 Ill. Adm. Code 742.1020 by and between Equilon Enterprises LLC d/b/a Shell Oil Products US ("Owner/Operator") and the Village of Lombard Illinois ("Lombard"), collectively known as the "Parties."

WHEREAS, Owner/Operator is or was the owner or operator of one or more leaking underground storage tanks presently or formerly located at 930 E. Roosevelt Rd., Lombard, Illinois (the "Site");

WHEREAS, as a result of one or more releases of contaminants at the above referenced Site (the "Release"), soil and/or groundwater contamination at the Site exceeds the Tier I residential remediation objectives of 35 Ill. Adm. Code 742;

WHEREAS, the soil and/or groundwater contamination exceeding Tier I residential remediation objectives extends or may extend into the Highway Authority's right-of-way;

WHEREAS, the Owner/Operator or Property Owner is conducting corrective action in response to the Release;

WHEREAS, the Parties desire to limit access to soil within the right-of-way that exceeds Tier I residential remediation objectives so that human health and the environment are protected during and after any access;

NOW, THEREFORE, the Parties agree as follows:

1. The recitals set forth above are incorporated by reference as if fully set forth herein
2. The Illinois Emergency Management Agency has assigned incident number 20081062 to the Release.
3. Attached as Exhibit A is a scaled map(s) prepared by the Owner/Operator that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination above the applicable Tier I residential remediation objectives as a result of the Release.
4. Attached as Exhibit B is a table(s) prepared by the Owner/Operator that lists each contaminant of concern that exceeds its Tier I residential remediation objective, its Tier I residential remediation objective and its concentrations within the zone where Tier I residential remediation objectives are exceeded. The locations of the concentrations listed in Exhibit B are identified on the map(s) in Exhibit A.
5. Attached as Exhibit C is a scaled map prepared by the Owner/Operator showing the roadway areas within which Lombard maintains utility lines on Meyers Road which is adjacent to the Site that is governed by this agreement ("Right-of-Way"). Because

Exhibit C is not a surveyed plat. the Right-of-Way boundary is that area of Meyers Road which is within the depicted area and which may be an approximation of the actual Right-of-Way lines. Because the collection of samples within the Right-of-Way is not practical, the Parties stipulate that, based on modeling, soil and groundwater contamination exceeding Tier I residential remediation objectives does not and will not extend beyond the boundaries of the Right-of-Way or that area which is depicted within Exhibit C.

6. Lombard stipulates it maintains utilities within the Right-of-Way that gives it access to the soil located within or beneath the Right-of-Way.
7. Lombard agrees that to the limit of its ability to do so, it will prohibit within the Right-of-Way all potable and domestic uses of groundwater exceeding Tier I residential remediation objectives.
8. Lombard further agrees to limit access by itself and others who are under its control to soil within the Right-of Way exceeding Tier I residential remediation objectives. Access shall be allowed only if human health (including worker safety) and the environment are protected during and after any access. Lombard may construct, reconstruct, improve, repair, maintain and operate its utilities within the Right-of-Way, or allow others to do the same by permit. In addition, Lombard and others using or working in the Right-of-Way under permit for utility work have the right to remove soil or groundwater from the Right-of-Way and dispose of the same in accordance with applicable environmental laws and regulations. Lombard agrees to allow utility work on its behalf in the Right-of-Way subject to the following or a substantially similar condition: As a condition of this permit or contract the permittee shall request the office issuing this permit or access right to identify sites in the Right-of-Way where Lombard governs access to soil that exceeds the Tier I residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.
9. This agreement may be but is not required to be referenced in the Illinois Environmental Protection Agency's (the "Agency") no further remediation determination issued for the Release.
10. If required by the Agency, the Agency shall be notified of any transfer of jurisdiction over the Right-of-Way at least 30 days prior to the date the transfer takes effect. This agreement shall be null and void upon the transfer unless the transferee agrees to be bound by this agreement as if the transferee were an original party to this agreement. The transferee's agreement to be bound by the terms of this agreement shall be memorialized at the time of transfer in a writing ("**Rider**") that references this Highway Authority Agreement and is signed by Lombard, or subsequent transferor, and the transferee.

11. This agreement shall become effective on the date the Agency issues a no further remediation determination for the Release. It shall remain effective until the Right-of-Way is demonstrated to be suitable for unrestricted use and, if required to be filed by the Agency, once the Agency issues a new no further remediation determination to reflect there is no longer need for this agreement, or until the agreement is otherwise terminated or voided.
12. In addition to any other remedies that may be available, if the Agency has determined that this Agreement is required to obtain an NFR determination, the Agency may bring suit to enforce the terms of this agreement or may, in its sole discretion, declare this agreement null and void if any of the Parties or any transferee violates any term of this agreement. The Parties or transferee shall be notified in writing of any such declaration.
13. This agreement shall be null and void if a court of competent jurisdiction strikes down any part or provision of the agreement.
14. This agreement supersedes any prior written or oral agreements or understandings between the Parties on the subject matter addressed herein. It may be altered, modified or amended only upon the written consent and agreement of the Parties.
15. Any notices or other correspondence regarding this agreement shall be sent to the Parties at following addresses:

If to the Illinois Environmental
Protection Agency

Manager, Division of Remediation Management
Bureau of Land
1021 N. Grand Ave. East
PO Box 19276
Springfield, IL 62974-9276

If to Indemnitor:

John Robbins
Environmental Program Manager
Shell Oil Products US
20945 S. Wilmington Avenue
Carson, CA 90810
Phone: 815-468-8824
Fax: 713-423-0544

If to the Village:

with a copy to

Village of Lombard
16250 South Oak Park Avenue
Lombard, Illinois 60477-1628
Attn: Village Manager

Klein, Thorpe and Jenkins, Ltd
20 North Wacker Drive - Suite 1660
Chicago, Illinois 60606-2903
Attn: Dennis G. Walsh

IN WITNESS WHEREOF, the Parties have caused this agreement to be signed by their duly authorized representatives.

VILLAGE OF LOMBARD

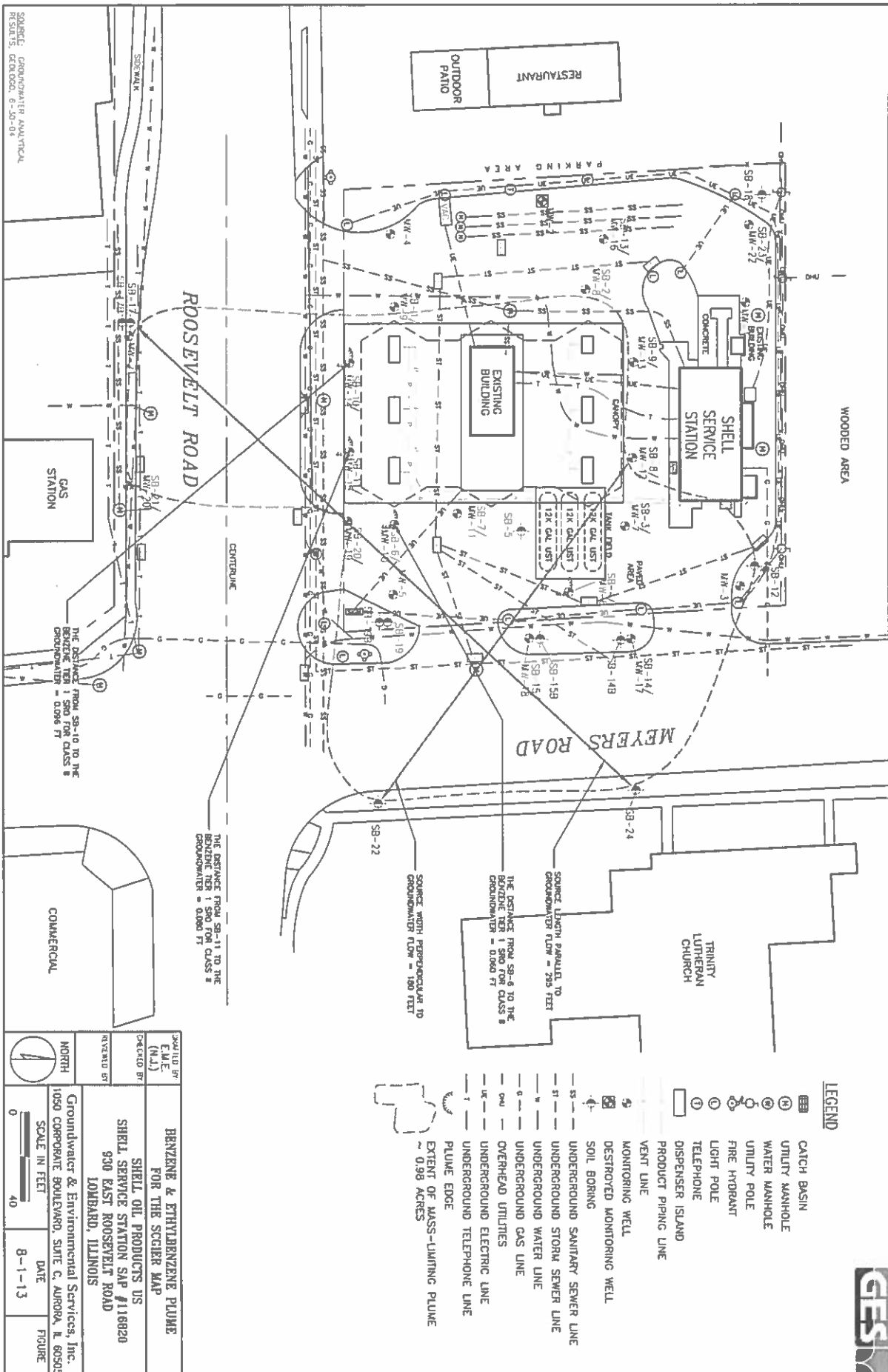
Date: _____, 2013

By:
Its:

EQUILON ENTERPRISES LLC
d/b/a SHELL OIL PRODUCTS US

Date: 12/16, 2013


By: John Robbins
Title: Environmental Program Manager



SOURCE: GEOPHYSICAL ANALYTICAL RESULTS, GEOLOGICAL, 6-30-03

<p>DEVELOPED BY CME (N.A.)</p> <p>DRAWN BY REVIEWED BY</p>	<p>BENZENE & ETHYLBENZENE PLUME FOR THE SCIEER MAP</p> <p>SHELL OIL PRODUCTS US SHELL SERVICE STATION SAP #118820 930 EAST ROOSEVELT ROAD LOMBARD, ILLINOIS</p>
<p>NORTH</p> <p>SCALE IN FEET 0 40</p>	<p>Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505</p> <p>DATE: 8-1-13</p> <p>FIGURE</p>

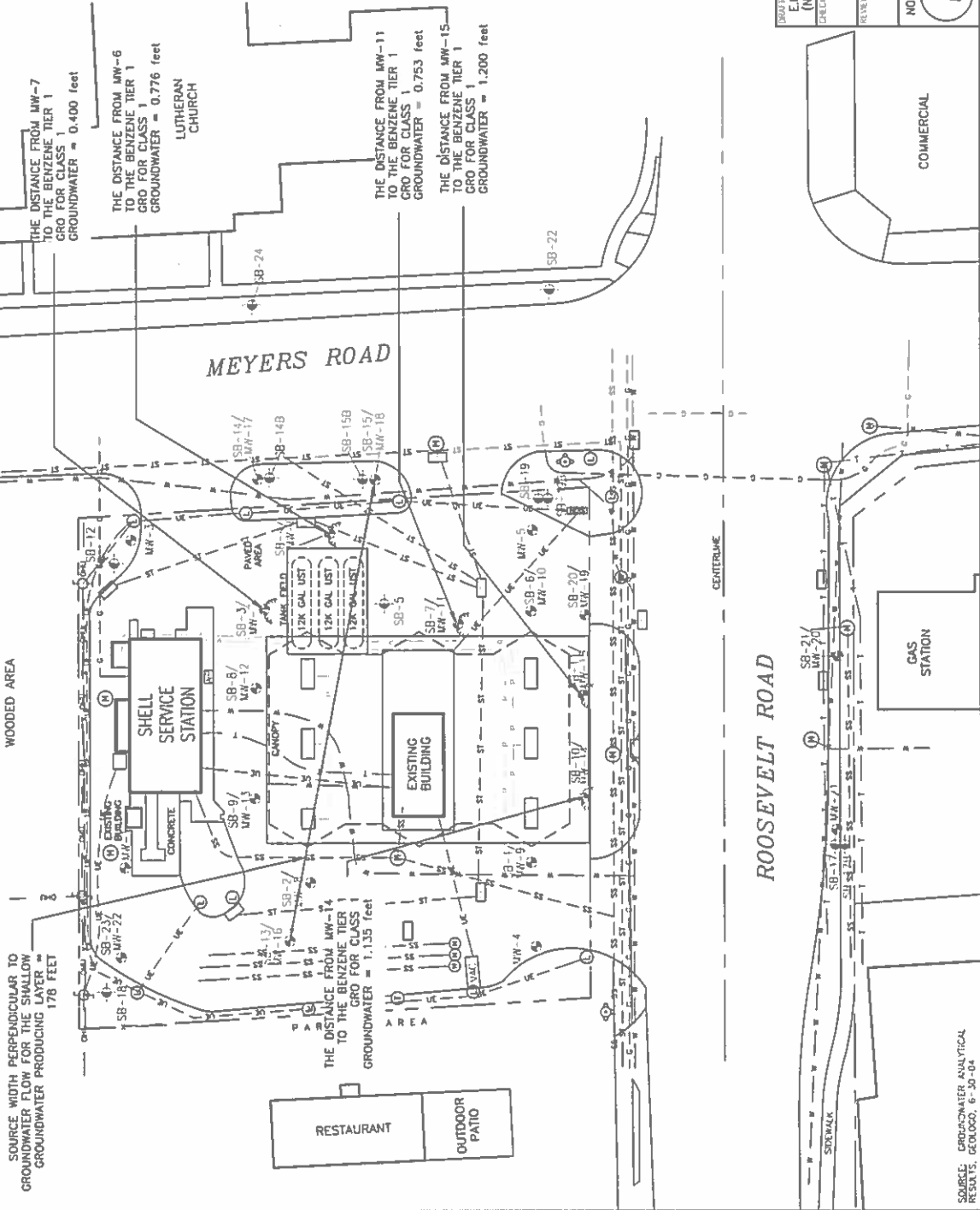
EXHIBIT A-1 SOIL





LEGEND

- EEB CATCH BASIN
- (M) UTILITY MANHOLE
- (U) UTILITY POLE
- (F) FIRE HYDRANT
- (L) LIGHT POLE
- (T) TELEPHONE
- (D) DISPENSER ISLAND
- (P) PRODUCT PIPING LINE
- (V) VENT LINE
- (M) MONITORING WELL
- (S) DESTROYED MONITORING WELL
- (B) SOIL BORING
- (SS) UNDERGROUND SANITARY SEWER LINE
- (WS) UNDERGROUND WATER LINE
- (G) UNDERGROUND GAS LINE
- (OU) OVERHEAD UTILITIES
- (UK) UNDERGROUND ELECTRIC LINE
- (T) UNDERGROUND TELEPHONE LINE
- (E) PLUME EDGE



BENZENE PLUME FOR THE GIER MAP (SHALLOW LAYER)

DRAWN BY: E.M.E. (N.J.)

CHECKED BY:

REVIEWED BY:

SHELL OIL PRODUCTS US
SHELL SERVICE STATION SAP #116820
930 EAST ROOSEVELT ROAD
LOMBARD, ILLINOIS

Groundwater & Environmental Services, Inc.
 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505

NORTH

SCALE IN FEET: 0 to 40

DATE: 8-1-13

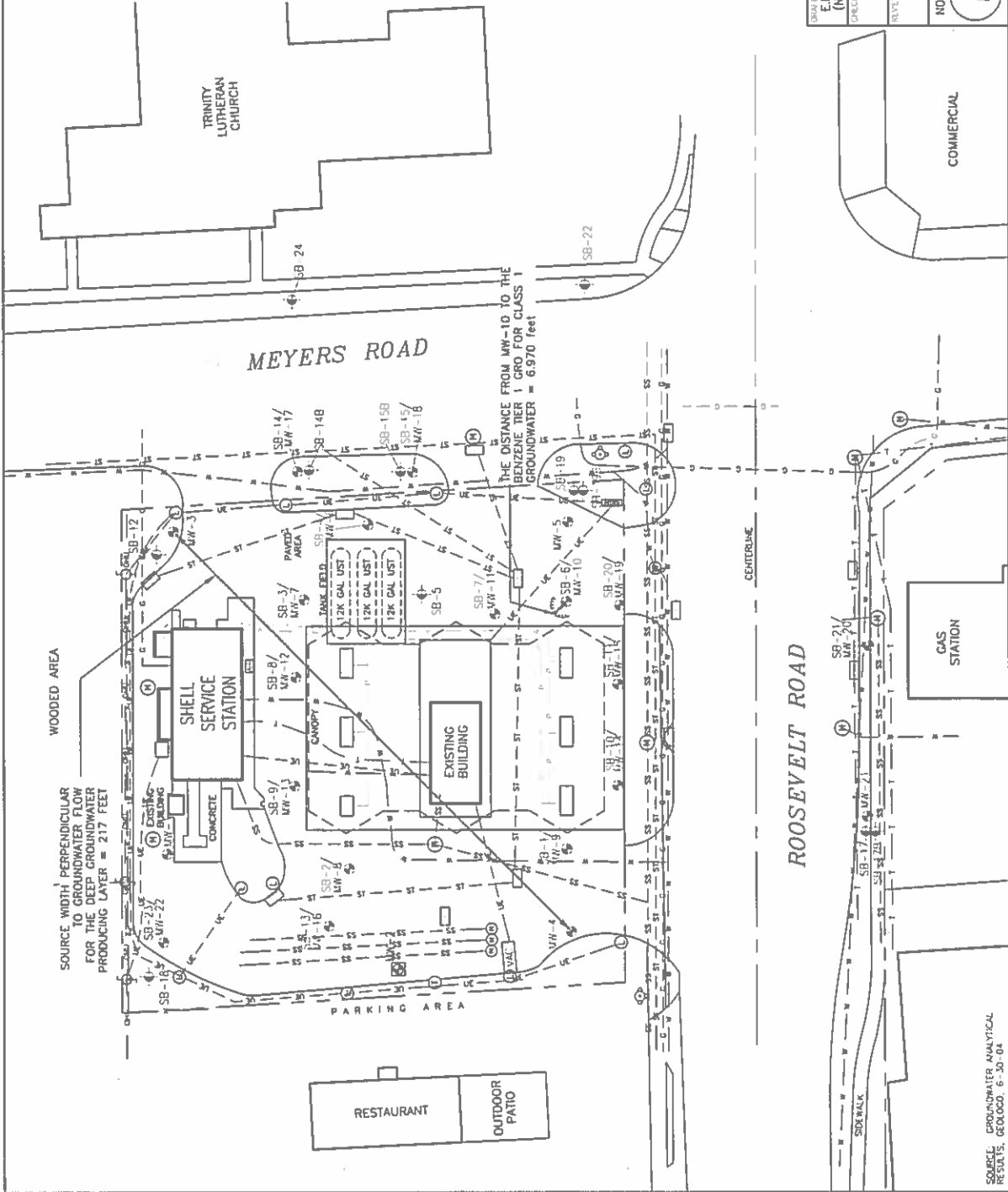
FIGURE

SOURCE: GROUNDWATER ANALYTICAL RESULTS, GEOLOGO, 6-30-04



LEGEND

- ☐ CATCH BASIN
- UTILITY MANHOLE
- UTILITY POLE
- FIRE HYDRANT
- LIGHT POLE
- TELEPHONE
- DISPENSER ISLAND
- PRODUCT PIPING LINE
- VENT LINE
- MONITORING WELL
- ☒ DESTROYED MONITORING WELL
- SOIL BORING
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND WATER LINE
- UNDERGROUND GAS LINE
- OVERHEAD UTILITIES
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND TELEPHONE LINE
- PLUME EDGE



**BENZENE PLUME FOR THE GIER MAP
(DEEP LAYER)**

SHELL OIL PRODUCTS US
SHELL SERVICE STATION S#116820
930 EAST ROOSEVELT ROAD
LOMBARD, ILLINOIS

Groundwater & Environmental Services, Inc.
1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505

SCALE IN FEET: 0 40

DATE: 8-1-13

FIGURE:

Table 1

SOIL ANALYTICAL DATA - BTEX/MTBE

Shell #116R20
930 East Roosevelt Road
Lombard, Illinois

Tier 1 Soil Remediation Objectives for Residential Properties			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Xylenes (mg/kg)	MTBE (mg/kg)
Ingestion - residential			12	16,000	7,000	16,000	700
Ingestion - construction worker			2,300	410,000	20,000	41,000	2,000
Inhalation - residential			0.8	650	400	320	8,000
Inhalation - construction worker			2.2	42	58	5.6	140
Soil Component of Groundwater (Class II)			0.17	29	19	150	0.32
Soil Component of Groundwater (Class I)			0.03	12	13	150	0.32
Sample Location	Date	Depth (feet)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Xylenes (mg/kg)	MTBE (mg/kg)
SB-1/MW-9	06/16/2008	3	<0.007	<0.007	<0.007	<0.021	<0.007
	06/19/2008	7	<0.0053	<0.0053	<0.0053	<0.0163	<0.0053
	06/19/2008	11	<0.0049	<0.0049	<0.0049	<0.0147	0.0072
SB-2/MW-8	06/16/2008	5	<0.0069	<0.0069	<0.0069	<0.0209	<0.0069
	06/19/2008	9	0.0056	0.0055	<0.0046	<0.0138	<0.0046
	06/19/2008	15	<0.0045	<0.0045	<0.0045	<0.0134	<0.0045
SB-3/MW-7	06/16/2008	5	0.051	<0.0071	<0.0071	<0.0211	<0.0071
	06/19/2008	7	0.263	<0.050	<0.050	<0.100	0.079
	06/19/2008	11	0.116	0.0054	<0.0049	<0.0147	0.138
SB-4/MW-6	06/16/2008	5	2.26	<1.43	205	624	<1.43
	06/19/2008	7	0.884	<0.446	30.3	<8.286	<0.446
	06/19/2008	13	<0.005	<0.005	<0.005	<0.015	<0.005
SB-5	06/16/2008	3	<0.059	<0.148	<0.148	<0.296	<0.148
	06/19/2008	9	<0.0047	<0.0047	<0.0047	<0.0141	<0.0047
	06/19/2008	11	0.046	<0.0043	<0.0043	<0.013	<0.0043
SB-6/MW-10	06/16/2008	5	0.097	<0.0083	<0.0083	<0.0253	<0.0083
	06/19/2008	7	3.02	<0.089	<0.089	<0.548	<0.089
	06/19/2008	11	<0.004	<0.004	<0.004	<0.0119	<0.004
SB-7/MW-11	05/15/2009	4	0.3919	1.661	2.433	8.187	<0.1216
	05/15/2009	6	1.108	21.57	21.71	93.5 D	<0.3776
	05/15/2009	4	0.0208	0.0252	0.0311	0.1211	0.0268
SB-8/MW-12	05/15/2009	6	0.004	0.005	0.0017	0.007	0.0263
	05/15/2009	2	<0.0014	0.0041	<0.0014	<0.0042	<0.007
	05/15/2009	8	<0.0006	<0.0006	<0.0006	<0.0019	0.0055
SB-10/MW-14	05/15/2009	4	3.877	0.5075	23.28	92.73	<0.9378
	05/15/2009	6	2.511	0.1731	11.75	39.749	<0.4515
	05/15/2009	2	1.067	0.0492	1.209	0.3445	<0.1157
SB-11/MW-15	05/15/2009	6	3.439	11.58	15.62	86.05	<0.4665
	05/15/2009	2	<0.0008	0.0012	0.0012	0.0052	<0.0038
	05/15/2009	8	<0.0008	0.0012	<0.0008	<0.0023	0.0088
SB-13/MW-16	03/02/2010	2	0.0019	<0.0012	0.0096	0.0077	<0.0050
	03/02/2010	4	<0.0009	<0.0009	<0.0009	<0.0009	<0.0044
	03/02/2010	2	0.0012	<0.0012	0.0012	0.0032	<0.0050
SB-15/MW-18	03/02/2010	2	<0.0009	<0.0009	<0.0009	<0.0009	<0.0046
	11/22/2010	4	0.0271	<0.0244	0.1899	<0.0244	<0.1222
	11/22/2010	6	0.4844	<0.0911	58.64 D	63.6 D	<0.4553
SB-20/MW-19	11/22/2010	2	0.0011	<0.001	<0.001	<0.001	<0.0051
	11/22/2010	7	<0.0204	<0.0204	<0.0204	<0.0204	<0.102
	11/22/2010	4	<0.0232	<0.0232	<0.0232	<0.0232	<0.1150
SB-14B	01/26/2012	6	<0.026	<0.026	<0.026	<0.051	<0.2
	01/26/2012	13	<0.011	<0.011	<0.011	<0.021	0.1
	01/26/2012	17	1.3	0.09	<0.010	<0.02	<0.08
	01/26/2012	23	<0.010	<0.010	<0.010	<0.02	<0.082
SB-15B	01/26/2012	8	<0.012	<0.012	<0.012	<0.023	<0.093
	01/26/2012	13	<0.011	<0.011	<0.011	<0.022	<0.088
	01/26/2012	17	<0.0099	<0.0099	<0.0099	<0.02	<0.079
SB-17B	01/26/2012	7	<0.011	<0.011	<0.011	<0.022	<0.089
	01/26/2012	13	<0.011	<0.011	<0.011	<0.021	<0.086
	01/26/2012	17	<0.012	<0.012	<0.012	<0.023	<0.093
SB-19B	01/26/2012	10	<0.012	<0.012	<0.012	<0.023	<0.092
	01/26/2012	17	<0.011	<0.011	<0.011	<0.021	<0.085
	01/26/2012	4	<0.014	<0.014	0.04	0.045	<0.11
SB-22	01/26/2012	6	<0.013	<0.013	<0.013	<0.025	<0.10
	01/26/2012	13	<0.011	<0.011	0.019	0.032	<0.084
	01/26/2012	17	<0.010	<0.010	0.015	0.027	<0.084
	09/27/2012	3	<0.013	<0.013	<0.013	<0.027	<0.11
SB-24	09/27/2012	7.5	<0.012	<0.012	<0.012	<0.024	<0.094
	09/27/2012	12.5	<0.011	<0.011	<0.011	<0.022	<0.087

NOTES:

- 1 mg/kg = milligrams per kilogram or parts per million (ppm)
- 2 <#> = Not detected above analytical method detection limit
- 3 Bold = concentrations above Title 15 IAC Part 742 Tier 1 SROs

Table 2

GROUNDWATER ANALYTICAL DATA - BTEX/MTBE

Shell #116820
930 East Roosevelt Road
Lombard, Illinois

Tier I Groundwater Remediation Objectives for the Groundwater Ingestion Exposure Route					Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Nylenes (ug/L)	MTBE (ug/L)
<i>Class I Groundwater Remediation Objective</i>					5	1,000	700	10,000	70
<i>Class II Groundwater Remediation Objective</i>					25	2,500	1,000	10,000	70
<i>Indoor Inhalation - Residential (<5 feet building)</i>					110	530,000	370	30,000	1,900,000
<i>Indoor Inhalation - Industrial/Commercial (<5 feet building)</i>					410	530,000	1,400	93,000	6,800,000
Sample Location	Sample Date	Referenced Elevation	Depth to Groundwater	Groundwater Elevation					
MW-1	04/01/2003	98.47	11.55	86.92	<5	<5	<5	<5	<5
	08/15/2003	98.47	13.49	84.98	<1	<1	<1	<1	<3
	12/19/2003	98.47	10.01	88.46	<1	<1	<1	<1	<3
	06/08/2004	98.47	14.51	83.96	<1	<1	<1	<1	<1
	06/29/2006	98.47	11.27	87.20	<1	<1	<1	<2	1.18
	08/16/2007	98.47	13.40	85.07	<1	<1	<1	<3	3.54
	07/10/2008	98.47	13.35	85.12	<2	<2	<2	<4	<2
	10/30/2008	98.47	13.09	85.38	<1	1.937	<1	<3	10.64
	05/26/2009	98.47	8.65	89.82	<1	<1	<1	<3	6.98
	10/20/2009	98.47	13.64	84.83	<1	<1	<1	<1	<5
	03/09/2010	98.47	8.66	89.81	NS	NS	NS	NS	NS
	11/29/2010	98.47	17.95	80.52	NS	NS	NS	NS	NS
	02/20/2012	99.16	12.45	86.71	<0.5	<0.5	<0.5	<1	5.2
	04/30/2012	99.16	16.03	83.13	NS	NS	NS	NS	NS
	MW-2	04/01/2003	99.04	17.80	81.24	<5	<5	<5	<5
08/15/2003		99.04	17.38	81.66	<1	<1	<1	<1	<3
12/19/2003		99.04	17.02	82.02	<1	<1	<1	<1	<3
06/08/2004		99.04	9.52	89.52	<1	<1	<1	<1	<1
06/29/2006		99.04	NG	NG	Paved Over With Asphalt				
MW-3	04/01/2003	98.81	16.50	82.31	<5	<5	<5	<5	<5
	08/15/2003	98.81	15.44	83.37	<1	<1	<1	<1	<3
	12/19/2003	98.81	15.90	82.91	<1	<1	<1	<1	<3
	06/08/2004	98.81	14.09	84.72	<1	<1	<1	<1	2.4
	06/29/2006	98.81	14.20	84.61	<1	<1	<1	<2	4.13
	08/16/2007	98.81	15.48	83.33	<1	<1	<1	<3	3.84
	07/10/2008	98.81	NG	NG	NS	NS	NS	NS	NS
	10/30/2008	98.81	15.95	82.86	<1	3.155	<1	<3	<5
	05/26/2009	98.81	13.59	85.22	<1	<1	<1	<3	5.67
	10/20/2009	98.81	16.51	82.30	<1	<1	<1	<1	5.07
	03/09/2010	98.81	14.08	84.73	NS	NS	NS	NS	NS
	11/29/2010	98.81	16.41	82.40	NS	NS	NS	NS	NS
	02/20/2012	98.61	14.83	83.78	<0.5	<0.5	<0.5	<1	4.8
	04/30/2012	98.61	14.74	83.87	NS	NS	NS	NS	NS
	MW-4	04/01/2003	99.08	18.22	80.86	<5	<5	<5	<5
08/15/2003		99.08	19.42	79.66	<1	<1	<1	<1	<3
12/19/2003		99.08	17.33	81.75	<1	<1	<1	<1	<3
06/08/2004		99.08	17.73	81.35	<1	<1	<1	<1	<1
06/29/2006		99.08	17.08	82.00	<1	<1	<1	<2	<1
08/16/2007		99.08	17.84	81.24	<1	<1	<1	<3	<1
07/10/2008		99.08	17.14	81.94	<2	<5	<5	<10	<5
10/30/2008		99.08	17.03	82.05	<1	2.325	<1	<3	<5
05/26/2009		99.08	17.07	82.01	<1	<1	<1	<3	<5
10/20/2009		99.08	17.68	81.40	<1	<1	<1	<1	<5
03/09/2010		99.08	17.50	81.58	NS	NS	NS	NS	NS
11/29/2010		99.08	17.63	81.45	NS	NS	NS	NS	NS
02/20/2012		99.00	17.73	81.27	<0.5	<0.5	<0.5	<1	<1
04/30/2012		99.00	17.62	81.38	NS	NS	NS	NS	NS
MW-5		04/01/2003	99.08	24.26	NG	NS	NS	NS	NS
	08/15/2003	99.08	19.15	79.93	<1	<1	<1	<1	<3
	12/19/2003	99.08	18.48	80.60	<1	<1	1.3	<1	<3
	06/08/2004	99.08	17.97	81.11	<1	<1	<1	<1	<1
	06/29/2006	99.08	16.94	82.14	<1	<1	<1	<2	<1
	08/16/2007	99.08	8.58	90.50	<1	<1	<1	<2	<1
	07/10/2008	99.08	14.20	84.88	<2	<5	<5	<10	<5
	10/30/2008	99.08	14.24	84.84	<1	2.502	<1	<3	<5
	05/26/2009	99.08	16.36	82.72	<1	<1	<1	<3	<5
	10/20/2009	99.08	16.44	82.64	<1	<1	<1	<1	<5
	03/09/2010	99.08	17.44	81.64	NS	NS	NS	NS	NS
	11/29/2010	99.08	14.82	84.26	NS	NS	NS	NS	NS
	02/20/2012	99.21	13.85	85.36	<0.5	<0.5	<0.5	<1	3.4
	04/30/2012	99.21	13.60	85.61	NS	NS	NS	NS	NS
	MW-6	07/10/2008	98.22	4.45	93.77	679	24	1720	703
10/30/2008		98.22	4.85	93.37	632.2	19.8	538.5	158.15	46.2
05/26/2009		98.22	4.07	94.15	744.9	8.2	521.8	104.8	81.2
10/20/2009		98.22	4.66	93.56	445	10.72	205.7	36.7	55.62
03/09/2010		98.22	4.48	93.74	418.1 D	13.35	500.1 D	64.03	18.87
11/29/2010		98.22	5.68	92.54	222.4	8.89	191.4	41.73	35.54
02/20/2012		98.35	4.15	94.20	420	13	230	96	45
04/30/2012		98.35	5.98	92.37	NS	NS	NS	NS	NS

Table 2

GROUNDWATER ANALYTICAL DATA - BTEN/MTBE

Shell #116820
930 East Roosevelt Road
Lombard, Illinois

Tier 1 Groundwater Remediation Objectives for the Groundwater Ingestion Exposure Route					Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Nylenes (ug/L)	MTBE (ug/L)	
Class I Groundwater Remediation Objective					5	1,000	700	10,000	70	
Class II Groundwater Remediation Objective					25	2,500	1,000	10,000	70	
Indoor Inhalation - Residential (<5 feet building)					110	530,000	370	30,000	1,900,000	
Indoor Inhalation - Industrial/Commercial (<5 feet building)					410	530,000	1,400	93,000	6,800,000	
Sample Location	Sample Date	Referenced Elevation	Depth to Groundwater	Groundwater Elevation						
MW-7	07/10/2008	98.83	5.28	93.55	295	57	<5	<10	221	
	10/30/2008	98.83	5.56	93.27	309.3	15.22	5.052	63.45	99.69	
	05/26/2009	98.83	4.79	94.04	371.7	167.5	1.85	16.02	123.8	
	10/20/2009	98.83	5.85	92.98	121.7	1.28	<1	<1	209.9	
	03/09/2010	98.83	5.72	93.11	16.67	<1	<1	<1	142.3	
	11/29/2010	98.83	6.59	92.24	<1	<1	<1	<1	96.86	
	02/20/2012	99.05	6.10	92.95	68	18	2.3	29	100	
MW-8	07/10/2008	98.76	15.00	83.76	<2	<2	<2	<4	<2	
	10/30/2008	98.76	15.19	83.57	<1	1.55	<1	<3	46.71	
	05/26/2009	98.76	13.59	85.17	<1	<1	<1	<3	140.2	
	10/20/2009	98.76	15.80	82.96	<1	<1	<1	<1	114.6	
	03/09/2010	98.76	14.04	84.72	8.30	<1	8.02	<1	128.1	
	11/29/2010	98.76	16.89	81.87	<1	<1	<1	<1	80.76	
	02/20/2012	99.90	15.30	83.60	<0.5	<0.5	<0.5	<1	110	
	04/30/2012	98.90	14.90	84.00	NS	NS	NS	NS	NS	
	MW-9	07/10/2008	98.68	5.61	93.07	2.3	<2	<2	<4	<2
		10/30/2008	98.68	4.15	94.53	<1	1.458	<1	<3	<5
05/26/2009		98.68	4.51	94.17	<1	<1	<1	<3	<5	
10/20/2009		98.68	4.52	94.16	<1	<1	<1	<1	<5	
03/09/2010		98.68	5.23	93.45	NS	NS	NS	NS	NS	
11/29/2010		98.68	16.88	81.80	NS	NS	NS	NS	NS	
02/20/2012		98.85	5.86	92.99	<0.5	<0.5	<0.5	<1	<1	
04/30/2012		98.85	4.92	93.93	NS	NS	NS	NS	NS	
MW-10		07/10/2008	99.01	8.82	90.19	<2	<2	<2	<4	8.5
		10/30/2008	99.01	9.53	89.48	1.212	2.695	<1	<3	83.28
	05/26/2009	99.01	9.60	89.41	1.68	<1	<1	<3	277.5	
	10/20/2009	99.01	11.39	87.62	<1	<1	<1	<1	325.5	
	03/09/2010	99.01	9.67	89.34	<1	<1	<1	<1	317.5	
	11/29/2010	99.01	13.53	85.48	11.4	<1	<1	<1	243.4	
	02/20/2012	99.12	12.73	86.39	43	<0.5	<0.5	<1	180	
	04/30/2012	99.12	11.84	87.28	NS	NS	NS	NS	NS	
	MW-11	05/26/2009	98.66	5.36	93.30	617.4 D	3,361 D	1,373 D	6,241 D	1,074
		10/20/2009	98.66	5.87	92.79	385.4	145.8	663.4	2,339	1,399
03/09/2010		98.66	5.05	93.61	20.73	39.2	60.66	248.9	17.02	
11/29/2010		98.66	5.94	92.72	267	16.34	387.8	2,687	913.3	
02/20/2012		98.66	NG	NG	Unable to Open					
04/30/2012		98.97	5.42	93.55	380	4.1	1,300 D	2,900 D	510	
MW-12		05/26/2009	99.14	4.62	94.52	<1	<1	<1	<3	198
	10/20/2009	99.14	5.25	93.89	<1	1.23	3.35	15.08	178.2	
	03/09/2010	99.14	5.56	93.58	<1	<1	<1	<1	126.4	
	11/29/2010	99.14	6.64	92.50	1.73	<1	<1	<1	91.3	
	02/20/2012	99.14	NG	NG	Unable to Open					
	04/30/2012	99.26	5.97	93.29	0.69	<0.5	<0.5	<1	95	
	MW-13	05/26/2009	99.41	6.87	92.54	<1	<1	<1	<3	118
10/20/2009		99.41	11.90	87.51	<1	<1	<1	<1	170	
03/09/2010		99.41	6.52	92.89	<1	<1	<1	<1	21.2	
11/29/2010		99.41	12.47	86.94	<1	<1	<1	<1	132.3	
02/20/2012		99.26	8.84	90.42	<0.5	<0.5	<0.5	<1	58	
04/30/2012		99.26	5.79	93.47	NS	NS	NS	NS	NS	
MW-14		05/26/2009	99.47	4.29	95.18	2,968 D	94.13	1,592 D	5,511 D	32.14
	10/20/2009	99.47	4.61	94.86	2,128	34.2	1,034	2,873	<50	
	03/09/2010	99.47	4.44	95.03	2,969	15.3	1,945	5,915	<50	
	11/29/2010	99.47	5.32	94.15	2,432 D	34.38	1,918 D	5,946	27.99	
	02/20/2012	99.37	4.86	94.45	1,800	11	800	1,200	31	
	04/30/2012	99.31	4.94	94.37	NS	NS	NS	NS	NS	
	MW-15	05/26/2009	99.33	4.32	95.01	2,871 D	396.8 D	394.6	1,711 D	35.52
10/20/2009		99.33	4.36	94.97	1,483	18.4	72.1	139	<50	
03/09/2010		99.33	4.33	95.00	1,772 D	14.01	88.6	232.4	25.21	
11/29/2010		99.33	5.50	93.83	1,963 D	42.82	423.1	948.4	<5	
02/20/2012		99.33	NG	NG	Unable to Open					
04/30/2012		99.24	4.85	94.39	2,300 D	13	350	320	<2	
MW-16		03/09/2010	98.68	3.87	93.81	<1	<1	<1	<1	<5
	11/29/2010	98.68	4.55	94.13	NS	NS	NS	NS	NS	
	02/20/2012	98.68	NG	NG	Unable to Open					
	04/30/2012	99.00	4.53	94.47	1.3	<0.5	<0.5	<1	<1	

Table 2

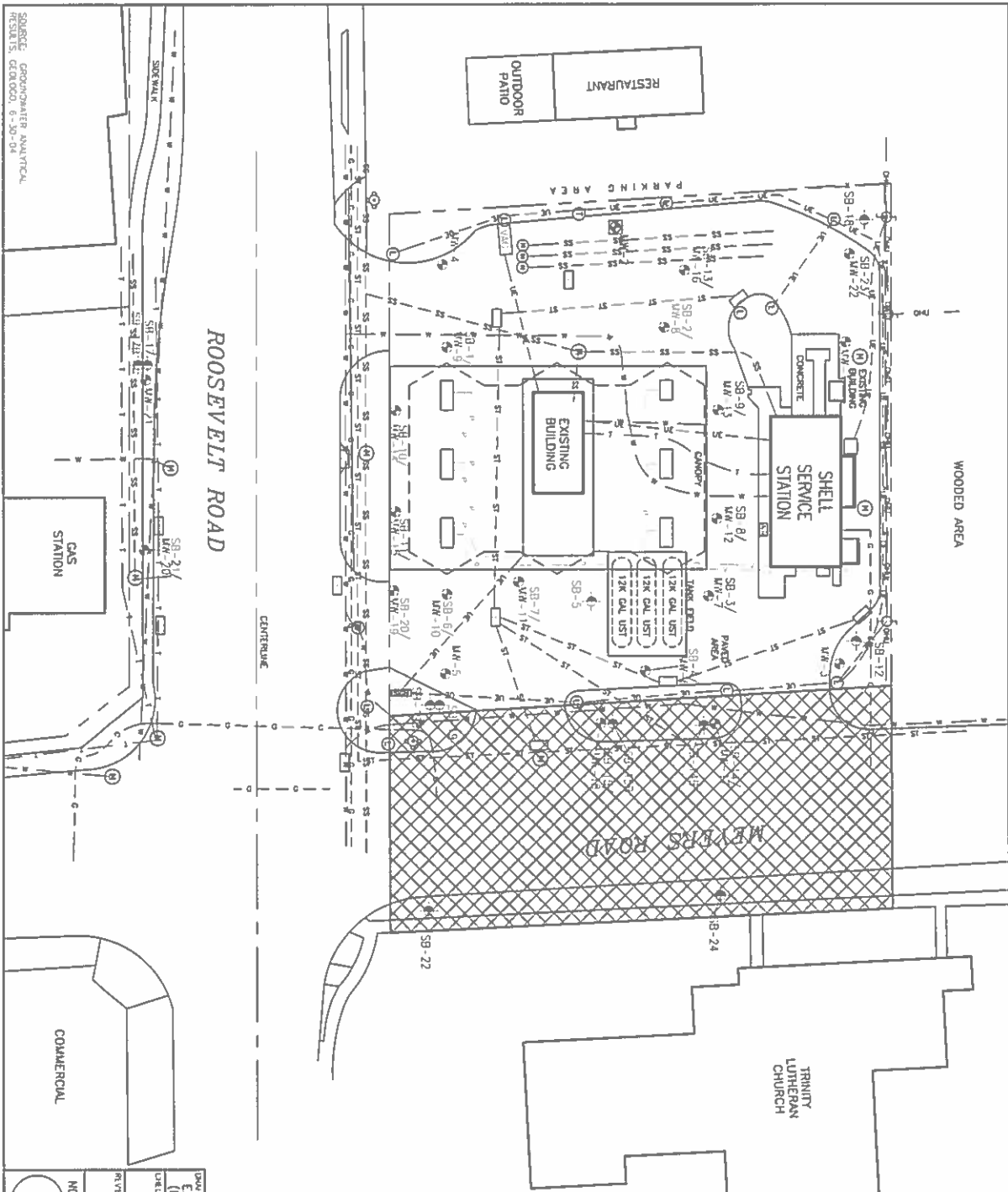
GROUNDWATER ANALYTICAL DATA - BTEX/MTBE

Shell #116820
930 East Roosevelt Road
Lombard, Illinois

Tier I Groundwater Remediation Objectives for the Groundwater Ingestion Exposure Route					Benzene (ug/L)	Toluene (ug/L)	Ethylbenzene (ug/L)	Nylenes (ug/L)	MTBE (ug/L)
<i>Class I Groundwater Remediation Objective</i>					5	1,000	700	10,000	70
<i>Class II Groundwater Remediation Objective</i>					25	2,500	1,000	10,000	70
<i>Indoor Inhalation - Residential (<5 feet building)</i>					110	530,000	370	30,000	1,900,000
<i>Indoor Inhalation - Industrial Commercial (<5 feet building)</i>					410	530,000	1,400	93,000	6,800,000
Sample Location	Sample Date	Referenced Elevation	Depth to Groundwater	Groundwater Elevation					
MW-17	03/09/2010	96.80	4.00	92.80	2.57	<1	<1	<1	<5
	11/29/2010	96.80	6.02	90.78	NS	NS	NS	NS	NS
	02/20/2012	96.80	NG	NG	Unable to Open				
	04/30/2012	97.0*	5.05	92.02	<0.5	<0.5	<0.5	<1	<1
MW-18	03/09/2010	98.16	4.68	93.48	<1	<1	2.67	9.46	55.3
	11/29/2010	98.16	5.60	92.56	NS	NS	NS	NS	NS
	02/20/2012	98.17	5.33	92.84	<0.5	<0.5	<0.5	<1	39
	04/30/2012	98.17	5.37	92.80	NS	NS	NS	NS	NS
MW-19	11/29/2010	99.64	14.11	85.53	Insufficient water for sample				
	02/20/2012	99.64	NG	NG	Unable to Open				
	04/30/2012	99.58	10.70	88.88	<0.5	<0.5	<0.5	1.6	100
MW-20	11/29/2010	99.15	8.90	90.25	<1	<1	<1	<1	<5
	02/20/2012	98.86	9.58	89.28	<0.5	<0.5	<0.5	<1	<1
	04/30/2012	98.86	9.01	89.85	NS	NS	NS	NS	NS
MW-21	11/29/2010	98.46	6.80	91.66	<1	<1	<1	<1	<5
	02/20/2012	98.30	6.80	91.50	<0.5	<0.5	<0.5	<1	<1
	04/30/2012	98.30	7.01	91.29	NS	NS	NS	NS	NS
MW-22	02/20/2012	99.12	9.79	89.33	16	<1	<1	<2	<2
	04/30/2012	99.12	3.33	95.79	NS	NS	NS	NS	NS

NOTES

- 1 ug/L = micrograms per liter
- 2 NG = Not Gauged
- 3 NS = Not Sampled
- 4 <# = Not detected above the method detection limit indicated
- 5 Bold = concentrations above Title 35 IAC Part 742 Tier I GROs for Class II groundwater
- 6 D = The result is from a diluted sample
- 7 Italics Elevation = Resurveyed



SYMBOL	DESCRIPTION
[Symbol]	CATCH BASIN
[Symbol]	UTILITY MANHOLE
[Symbol]	WATER MANHOLE
[Symbol]	UTILITY POLE
[Symbol]	FIRE HYDRANT
[Symbol]	LIGHT POLE
[Symbol]	TELEPHONE
[Symbol]	DISPENSER ISLAND
[Symbol]	PRODUCT PIPING LINE
[Symbol]	VENT LINE
[Symbol]	MONITORING WELL
[Symbol]	DESTROYED MONITORING WELL
[Symbol]	SOIL BORING
[Symbol]	UNDERGROUND SANITARY SEWER LINE
[Symbol]	UNDERGROUND STORM SEWER LINE
[Symbol]	UNDERGROUND WATER LINE
[Symbol]	UNDERGROUND GAS LINE
[Symbol]	OVERHEAD UTILITIES
[Symbol]	UNDERGROUND ELECTRIC LINE
[Symbol]	UNDERGROUND TELEPHONE LINE
[Symbol]	AREA SUBJECT TO VILLAGE OF LOMBARD HIGHWAY AUTHORITY AGREEMENT

<p>LEGEND</p> <ul style="list-style-type: none"> [Symbol] CATCH BASIN [Symbol] UTILITY MANHOLE [Symbol] WATER MANHOLE [Symbol] UTILITY POLE [Symbol] FIRE HYDRANT [Symbol] LIGHT POLE [Symbol] TELEPHONE [Symbol] DISPENSER ISLAND [Symbol] PRODUCT PIPING LINE [Symbol] VENT LINE [Symbol] MONITORING WELL [Symbol] DESTROYED MONITORING WELL [Symbol] SOIL BORING [Symbol] UNDERGROUND SANITARY SEWER LINE [Symbol] UNDERGROUND STORM SEWER LINE [Symbol] UNDERGROUND WATER LINE [Symbol] UNDERGROUND GAS LINE [Symbol] OVERHEAD UTILITIES [Symbol] UNDERGROUND ELECTRIC LINE [Symbol] UNDERGROUND TELEPHONE LINE [Symbol] AREA SUBJECT TO VILLAGE OF LOMBARD HIGHWAY AUTHORITY AGREEMENT 	<p>PROPOSED VILLAGE OF LOMBARD HIGHWAY AUTHORITY AGREEMENT MAP</p> <p>SHELL OIL PRODUCTS US SHELL SERVICE STATION SAP #116820 930 EAST ROOSEVELT ROAD LOMBARD, ILLINOIS</p> <p>Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505</p> <p>SCALE IN FEET 0 40</p> <p>DATE 12-16-12</p> <p>FIGURE</p>
---	---

EXHIBIT C

