**ITEM RES 00-04875**

# VILLAGE OF DOWNERS GROVE
## REPORT FOR THE VILLAGE COUNCIL MEETING
## APRIL 17, 2012 AGENDA

| SUBJECT: | TYPE: | SUBMITTED BY: |
|---|---|---|
| Highway Authority Agreement- Memorandum of Agreement for the Belmont Underpass area | ✓ Resolution<br>Ordinance<br>Motion<br>Discussion Only | Enza Petrarca<br>Village Attorney |

### SYNOPSIS
A resolution has been prepared to approve execution of a Highway Authority Agreement – Memorandum of Agreement between the Illinois Environmental Protection Agency and the Village of Downers Grove as owner of the property located at 4944 Belmont Road.

### STRATEGIC PLAN ALIGNMENT
Strategic Plan Goals for 2011 - 2018 identified *Top Quality Infrastructure* and *Steward of Financial and Environmental Sustainability.*

### FISCAL IMPACT
N/A

### RECOMMENDATION
Approval on the April 17, 2012, consent agenda.

### BACKGROUND
As you may recall, the former AAA Service Center located at 4944 Belmont Road was purchased by the Village as a part of the Belmont Road Railroad Underpass Project. It was determined that the property had a leaking underground storage tank on the property. An HAA-MOA Agreement limits property use and is made between the owner of the property for which a finding of No Further Remediation ("NFR") is requested. It is an institutional control which addresses potential contamination by allowing the contamination to remain in place under a right-of-way without compromising human health or the environment. The IEPA will only approve the use of an HAA if it has determined that it is safe to humans and the environment to leave contaminated soil in place without further remediation.

In cases where the highway authority (the Village) owns the property, as is the case with the Litt property, the highway authority and the IEPA enter into an HAA-MOA because the highway authority cannot enter into an agreement with itself. The HAA-MOA will prohibit using groundwater under the right-of-way as a supply of potable or domestic water and limits access to the soil in the right-of-way to protect human health and the environment. All permits for work in the right-of-way must include a condition that "[t]he permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil."

The HAA-MOA is an accepted institutional control for dealing with any remaining contamination underneath Burlington Avenue. Furthermore, an HAA-MOA is a cost effective means as it does not require further remediation or removal of soil and does not interfere with ongoing work at the site.

### ATTACHMENTS
Resolution
HAA-MOA & Exhibits

**RESOLUTION NO. ____**

**A RESOLUTION AUTHORIZING EXECUTION OF A HIGHWAY AUTHORITY MEMORANDUM OF AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the form and substance of a certain Agreement (the "Agreement"), between the Village of Downers Grove (the "Highway Authority") and the Illinois Environmental Protection Agency (the "Agency"), for certain corrective action and remediation objectives with regard to the contamination of soil and groundwater at 4944 Belmont Road, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

_____
Mayor

Passed:
Attest: _____
Village Clerk

1\wp\res.12\Metra-HAA-MOA-Litt

**HIGHWAY AUTHORITY AGREEMENT MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is entered by and between the Illinois Environmental Protection Agency ("Agency") and The Village of Downers Grove ("Highway Authority"), collectively known as the "Parties."

**WHEREAS**, the Highway Authority is the owner or operator of one or more leaking underground storage tanks presently or formerly located at 4944 Belmont Road, Downers Grove, Illinois ("the Site");

**WHEREAS,** the Highway Authority is the owner of the property located at 4944 Belmont Road, Downers Grove, Illinois ("the Site");

**WHEREAS,** as a result of one or more releases of contaminants at the above referenced Site ("the Release(s)"), soil and/or groundwater contamination at the Site exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742;

**WHEREAS,** the soil and/or groundwater contamination exceeding Tier 1 residential remediation objectives extends or may extend into the Highway Authority's right-of-way adjacent to the Site;

**WHEREAS,** the Highway Authority is conducting corrective action in response to the Release(s);

**WHEREAS,** the Parties desire to prevent groundwater beneath the Highway Authority's right-of-way that exceeds Tier 1 residential remediation objectives from use as a supply of potable or domestic water and to limit access to soil within the right-of-way that exceeds Tier 1 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 20011429 to the Release(s).

3. Attached as Exhibit A is a scaled map(s) prepared by the Highway Authority that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination

above the applicable Tier 1 residential remediation objectives as a result of the Release(s).

4. Attached as Exhibit B is a table(s) prepared by the Highway Authority that lists each contaminant of concern that exceeds its Tier 1 residential remediation objective, its Tier 1 residential remediation objective and its concentrations within the zone where Tier 1 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 Highway Authority showing the area of the Highway Authority's right-of-way that is governed by this agreement (''Right-of-Way''). Because Exhibit C is not a surveyed plat, the Right-of-Way boundary may be an approximation of the actual Right-of-Way lines.

6. The Highway Authority stipulates it has jurisdiction over the Right-ofWay that gives it sole control over the use of the groundwater and access to the soil located within or beneath the Right-of-Way.

7. The Highway Authority agrees to prohibit within the Right-of-Way all potable and domestic uses of groundwater exceeding Tier 1 residential remediation objectives.

8. The Highway Authority further agrees to limit access by itself and others to soil within the Right-of-Way exceeding Tier 1 residential remediation objectives. Access shall be allowed only if human health (including worker safety) and the environment are protected during and after any access. The Highway Authority may construct, reconstruct, improve, repair, maintain and operate a highway upon the Right-of-Way, or allow others to do the same by permit. In addition, the Highway Authority and others using or working in the Right-of-Way under permit 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. The Highway Authority agrees to issue all permits for work in the Right-of-Way, and make all existing permits for work in the Right-of-Way, subject to the following or a substantially similar condition:

As a condition of this permit the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Memorandum of Agreement governs access to soil that exceeds the Tier 1 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 shall be referenced in the Agency's no further remediation determination issued for the Release(s).

10. 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 Memorandum of Agreement and is signed by the Highway Authority, 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(s). It shall remain effective until the Right-of-Way is demonstrated to be suitable for unrestricted use and the Agency issues a new no further remediation determination to reflect there is no longer a need for this agreement, or until the agreement is otherwise terminated or voided.

12. In addition to any other remedies that may be available, 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 the Highway Authority or a transferee violates any term of this agreement. The Highway Authority 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:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62974-9276

Ms. Enza Petrarca
Village Attorney
Village of Downers Grove
801 Burlington Ave
Downers Grove, IL 60515

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

THE VILLAGE OF DOWNERS GROVE

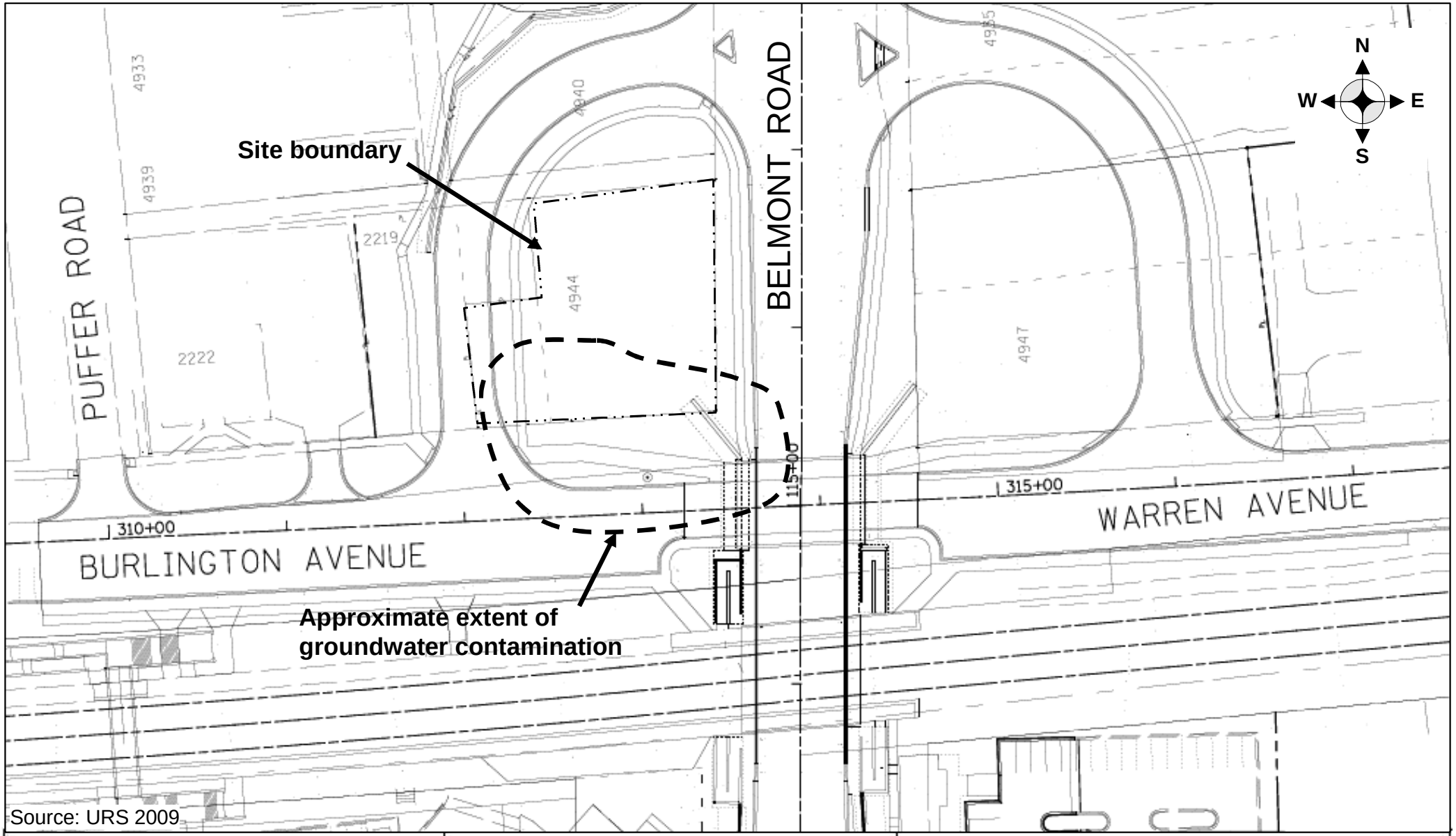
Date: _____ By: _____

Its: _____

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Date: _____ By: _____

Director




Source: URS 2009

ecology and environment, inc.
International Specialists in the Environment

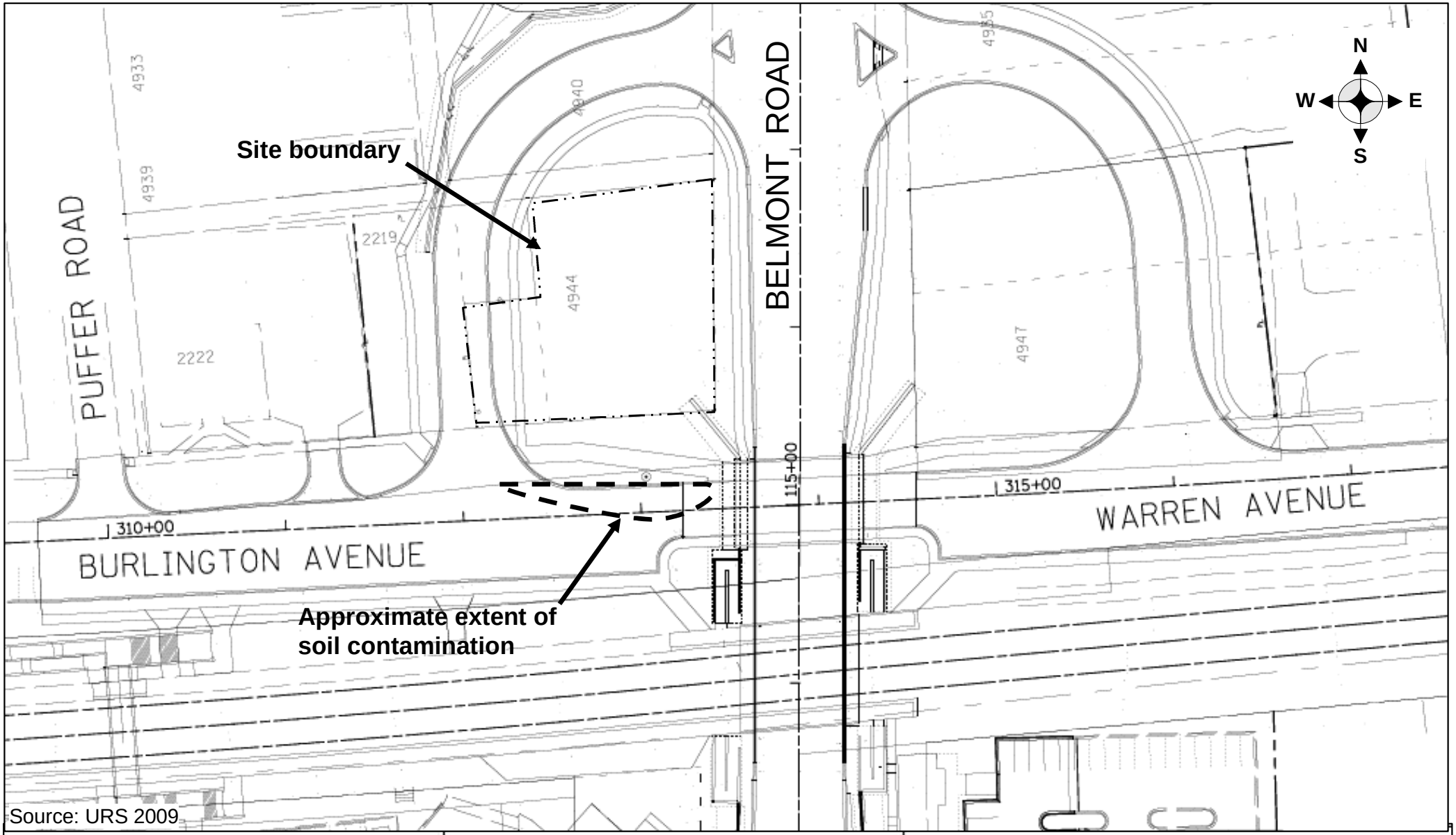
SCALE
0 100 200

**EXHIBIT A**

**EXTENT OF GROUNDWATER CONTAMINATION**
(Current Site Configuration)

AAA Service Center/Litt Property
LUST Incident 20011429, DuPage County

| DESIGNED BY | CHECKED BY | DATE | FILE NO. | DRAWING NO. | REV. |
|---|---|---|---|---|---|
| B. Sass | | 11/23/2011 | | | |
| DRAWN BY | APPROVED BY | | | | |




Source: URS 2009

ecology and environment, inc.
International Specialists in the Environment

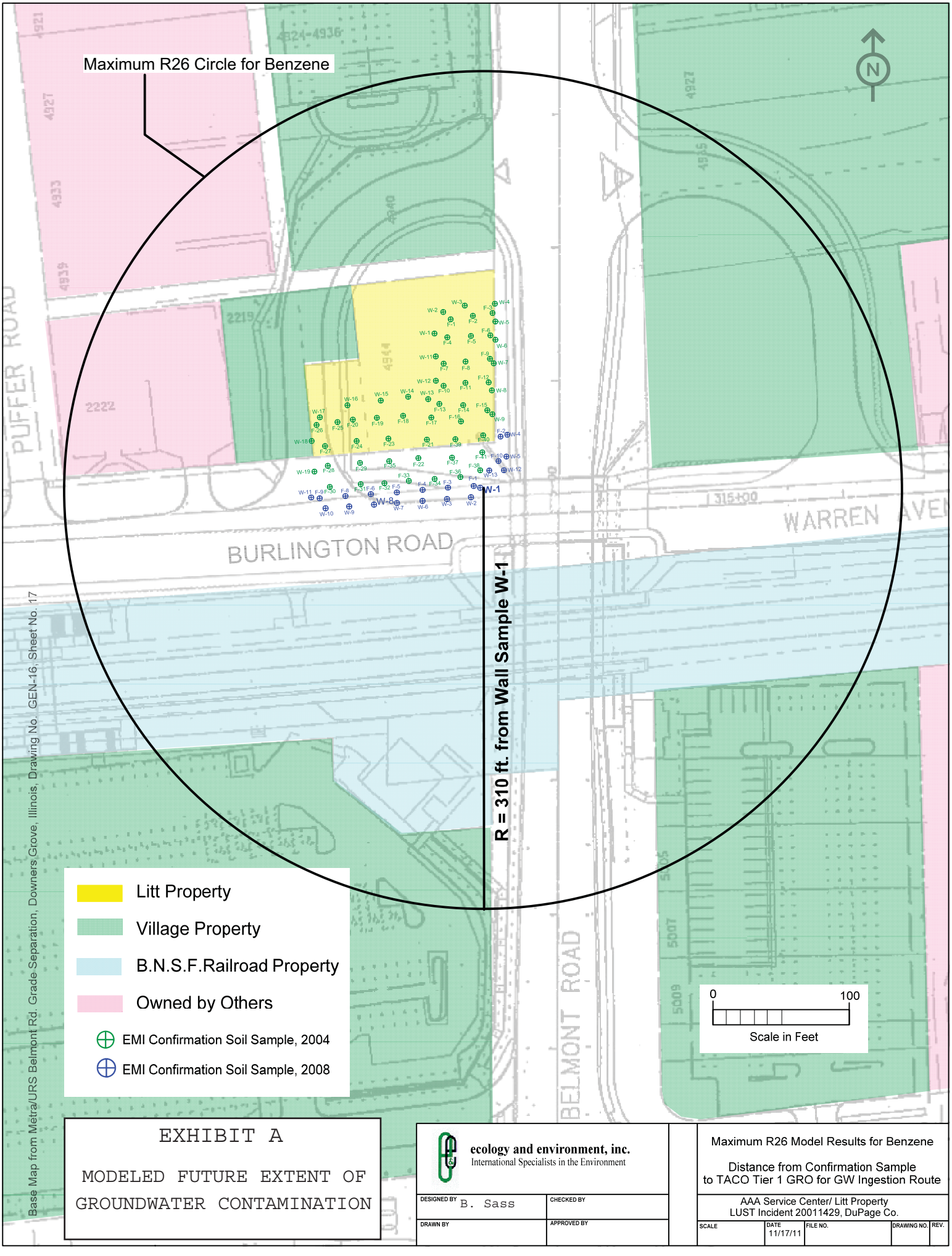
SCALE
0 100 200

**EXHIBIT A**

**EXTENT OF SOIL CONTAMINATION**
(Current Site Configuration)

AAA Service Center/Litt Property
LUST Incident 20011429, DuPage County

| DESIGNED BY | CHECKED BY | DRAWN BY | APPROVED BY | DATE | FILE NO. | DRAWING NO. | REV. |
|---|---|---|---|---|---|---|---|
| B. Sass | | | | 11/23/2011 | | | |




# EXHIBIT A

## MODELED FUTURE EXTENT OF GROUNDWATER CONTAMINATION

ecology and environment, inc.
International Specialists in the Environment

| DESIGNED BY | CHECKED BY |
|---|---|
| B. Sass | |
| DRAWN BY | APPROVED BY |
| | |

Maximum R26 Model Results for Benzene

Distance from Confirmation Sample to TACO Tier 1 GRO for GW Ingestion Route

AAA Service Center/ Litt Property
LUST Incident 20011429, DuPage Co.

| SCALE | DATE | FILE NO. | DRAWING NO. | REV. |
|---|---|---|---|---|
| | 11/17/11 | | | |

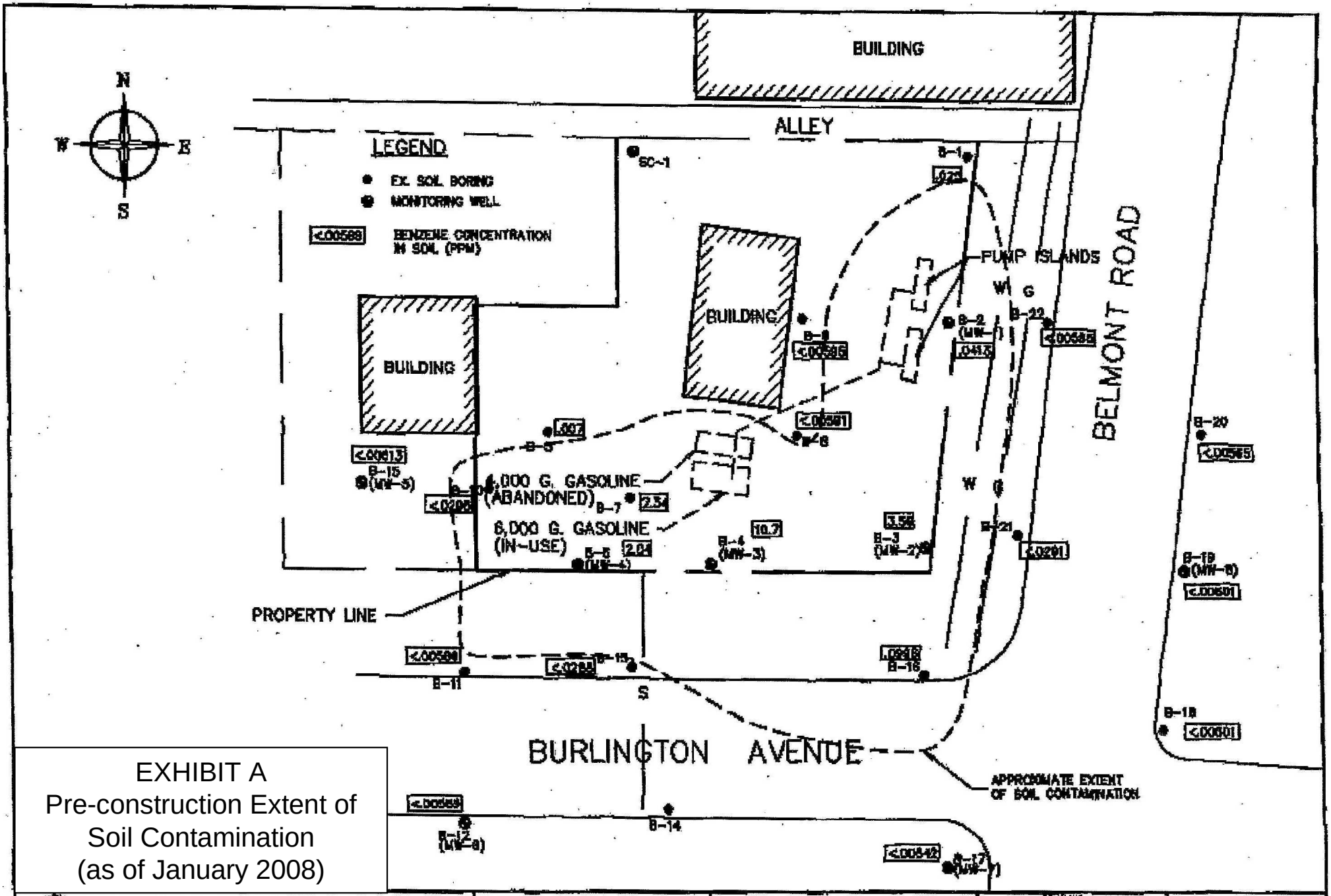



EXHIBIT A
Pre-construction Extent of Soil Contamination
(as of January 2008)

ENVIRONMENTAL MANAGEMENT, INC.
Civil/Environmental Engineers

SOIL CONTAMINATION PLUME

SCALE
20' 0 40'

SITE INVESTIGATION

PLANS PREPARED FOR
A.A.A. SERVICE CENTER
DOWNERS GROVE, ILLINOIS

FIGURE 2

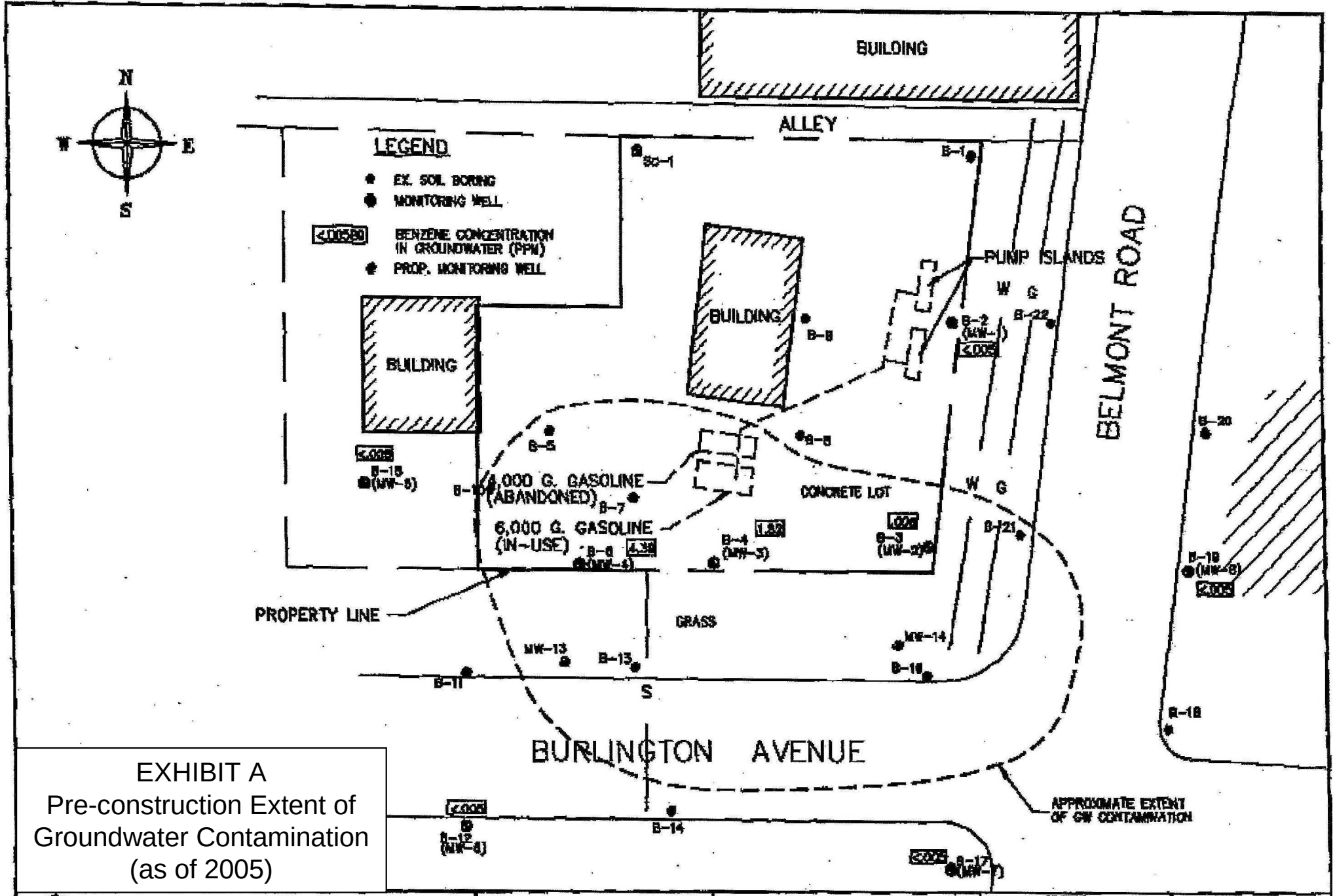



EXHIBIT A
Pre-construction Extent of Groundwater Contamination (as of 2005)

ENVIRONMENTAL MANAGEMENT, INC.
Civil/Environmental Engineers

GROUNDWATER CONTAMINATION PLUME

SCALE
20' 0 40'

SITE INVESTIGATION

PLANS PREPARED FOR
A.A.A. SERVICE CENTER
DOWNERS GROVE, ILLINOIS

FIGURE 4

# EXHIBIT B

**Excavation Wall Sample Analytical Results and Sum of Organic COC Concentrations**
**AAA Service Center**
**2004**

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | W-1 | W-2 | W-3 | W-4 | W-5 | W-6 | W-7 | W-8 | W-9 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/18/2004 | 10/17/2004 | 10/19/2004 | 10/19/2004 | 10/19/2004 | 10/20/2004 | 10/20/2004 | 10/20/2004 | 10/20/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | 0.0036 | 0.00518 | 0.00344 | 0.00381 | 0.00331 | 0.00326 | 0.00289 | 0.00703 | 0.0177 |
| Toluene | 12 | 650 | 0.0036 | 0.003 | 0.00344 | 0.00381 | 0.00331 | 0.00326 | 0.0114 | 0.00344 | 0.00343 |
| Ethylbenzene | 13 | 400 | 0.0036 | 0.0132 | 0.00344 | 0.00381 | 0.00331 | 0.00326 | 0.0119 | 0.00344 | 0.00343 |
| Total Xylenes | 150 | 320 | 0.0108 | 0.0143 | 0.0103 | 0.0114 | 0.00993 | 0.00978 | 0.0583 | 0.0103 | 0.0142 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.0216** | **0.03568** | **0.02062** | **0.02283** | **0.01986** | **0.01956** | **0.08449** | **0.02421** | **0.03876** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | W-10 | W-11 | W-12 | W-13 | NV-1.4 | W-I5 | W-16 | W-17 | W-18 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/25/2004 | 10/25/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | **0.0799** | 0.00345 | 0.00344 | 0.00428 | 0.00435 | 0.00375 | 0.0117 | 0.0143 | 0.0247 |
| Toluene | 12 | 650 | 0.088 | 0.00345 | 0.00344 | 0.00428 | 0.00435 | 0.00321 | 0.00351 | 0.0169 | 0.0269 |
| Ethylbenzene | 13 | 400 | 0.109 | 0.00457 | 0.00344 | 0.00428 | 0.00435 | 0.00321 | 0.00351 | 0.00423 | 0.0137 |
| Total Xylenes | 150 | 320 | 0.361 | 0.0104 | 0.0103 | 0.0128 | 0.013 | 0.00962 | 0.0132 | 0.0153 | 0.0336 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.6379** | **0.0219** | **0.0206** | **0.0256** | **0.0261** | **0.0198** | **0.0319** | **0.0507** | **0.0989** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | W-19 | W-20 | W-21 | W-22 | W-23 | W-24 | W-25 | W-26 | W-27 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/25/2004 | 10/25/2004 | 10/25/2004 | 10/25/2004 | 10/25/2004 | 10/26/2004 | 10/26/2004 | 10/26/2004 | 10/26/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | 0.0142 | **0.0339** | **0.0417** | 0.00364 | **0.65** | **0.214** | 0.0238 | **0.0395** | 0.0271 |
| Toluene | 12 | 650 | 0.0149 | 0.0242 | 0.0148 | 0.00916 | 0.467 | 0.168 | 0.0722 | 0.0953 | 0.0646 |
| Ethylbenzene | 13 | 400 | 0.00912 | 0.0077 | 0.00813 | 0.00364 | 0.0142 | 0.152 | 0.0138 | 0.0202 | 0.0164 |
| Total Xylenes | 150 | 320 | 0.0169 | 0.071 | 0.0478 | 0.0125 | 3.16 | 0.602 | 0.122 | 0.149 | 0.108 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.0551** | **0.1368** | **0.1124** | **0.0289** | **4.2912** | **1.1360** | **0.2318** | **0.3040** | **0.2161** |

Values in gray-shaded cells were non-detects at the specified detection limit. Detection limits of non-detects were included in the calculations.

Values in white text inside black cells exceed the most stringent TACO Tier 1 Residential Remediation Objective.

[a]From Section 742.APPENDIX A, Table A.

Key:

COCs = Contaminants of concern.

mg/kg = Milligrams per kilogram.

RO = Remediation objective.

# EXHIBIT B

**Excavation Floor Sample Analytical Results and Sum of Organic COC Concentrations**
**AAA Service Center**
**2004**

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-1 | F-2 | F-3 | F-4 | F-5 | F-6 | F-7 | F-8 | F-9 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/18/2004 | 10/18/2004 | 10/19/2004 | 10/19/2004 | 10/19/2004 | 10/20/2004 | 10/20/2004 | 10/20/2004 | 10/20/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | **0.0611** | 0.012 | 0.00312 | 0.00314 | 0.00353 | 0.00706 | 0.00303 | 0.00338 | 0.00341 |
| Toluene | 12 | 650 | 1.35 | 0.107 | 0.00312 | 0.003 14 | 0.00942 | 0.0275 | 0.00303 | 0.0108 | 0.00341 |
| Ethylbenzene | 13 | 400 | 1.08 | 0.14 | 0.00315 | 0.00314 | 0.0107 | 0.0158 | 0.00303 | 0.0178 | 0.00396 |
| Total Xylenes | 150 | 320 | 9.57 | 3.31 | 0.00935 | 0.00942 | 0.0626 | 0.199 | 0.00909 | 0.0728 | 0.0102 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **12.0611** | **3.5690** | **0.0187** | **0.0157** | **0.0863** | **0.2494** | **0.0182** | **0.1048** | **0.0210** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-I0 | F-1 | F-12 | F-13 | F-14 | F-I5 | F-16 | F-17 | F-I3 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/21/2004 | 10/27/2004 | 10/27/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | 0.00346 | 0.00325 | 0.00325 | 0.00338 | 0.00444 | 0.00317 | 0.00379 | **0.531** | 0.0157 |
| Toluene | 12 | 650 | 0.00346 | 0.00125 | 0.00325 | 0.00338 | 0.00444 | 0.00317 | 0.00379 | 2.9 | 0.0236 |
| Ethylbenzene | 13 | 400 | 0.00346 | 0.00325 | 0.0048 | 0.0057 | 0.0051 | 0.00317 | 0.00379 | 0.0508 | 0.013 |
| Total Xylenes | 150 | 320 | 0.0104 | 0.00 175 | 0.014 | 0.0101 | 0.0133 | 0.0095 | 0.0114 | 2.25 | 0.0253 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.02078** | **0.00775** | **0.0253** | **0.02256** | **0.02728** | **0.01901** | **0.02277** | **5.7318** | **0.0776** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-I9 | F-20 | F-21 | F-22 | F-23 | F-24 | F-25 | F-26 | F-27 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/27/2004 | 10/27/2004 | 10/27/2004 | 10/27/2004 | 10/27/2004 | 10/27/2004 | 10/28/2004 | 10/28/2004 | 10/28/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | 0.0149 | 0.0197 | **2.27** | 0.0125 | 0.00869 | 0.00497 | 0.0283 | 0.00801 | **0.82** |
| Toluene | 12 | 650 | 0.0156 | 0.0238 | 2.92 | 0.013 | 0.0192 | 0.00694 | 0.0324 | 0.00821 | 4.06 |
| Ethylbenzene | 13 | 400 | 0.0044 | 0.00412 | 0.0378 | 0.0112 | 0.0228 | 0.0075 | 0.118 | 0.00947 | 0.144 |
| Total Xylenes | 150 | 320 | 0.0248 | 0.0247 | 0.0375 | 0.0522 | 0.0855 | 0.0295 | 0.149 | 0.0451 | 3.69 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.0597** | **0.0723** | **5.2653** | **0.0889** | **0.1362** | **0.0489** | **0.3277** | **0.0708** | **8.7140** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-28 | F-29 | F-30 | F-31 | F-32 | F-33 | F-34 | F-35 | F-36 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/28/2004 | 10/28/2004 | 10/28/2004 | 10/23/2004 | 10/28/2004 | 10/28/2004 | 10/28/2004 | 10/28/2004 | 10/29/2004 |
| BTEX (mg/kg) | | | | | | | | | | | |
| Benzene | 0.03 | 870 | 0.00958 | 0.0042 | 0.0123 | 0.0036 | **0.0434** | 0.00433 | 0.00491 | 0.0049 | 0.0047 |
| Toluene | 12 | 650 | 0.0111 | 0.0105 | 0.00798 | 0.00996 | 0.0268 | 0.00433 | 0.00491 | 0.0049 | 0.0112 |
| Ethylbenzene | 13 | 400 | 0.014 | 0.00833 | 0.00277 | 0.0036 | 0.00723 | 0.00433 | 0.00491 | 0.0049 | 0.00436 |
| Total Xylenes | 150 | 320 | 0.056 | 0.0427 | 0.0083 I | 0.0477 | 0.0191 | 0.013 | 0.0147 | 0.0144 | 0.0282 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.09068** | **0.06573** | **0.02305** | **0.06486** | **0.09653** | **0.02599** | **0.02943** | **0.02910** | **0.04850** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-37 | F-38 | F-39 | F-40 | F-41 |
|---|---|---|---|---|---|---|---|
| Date Sampled | | | 10/29/2004 | 10/29/2004 | 10/29/2004 | 10/29/2004 | 10/29/2004 |
| BTEX (mg/kg) | | | | | | | |
| Benzene | 0.03 | 870 | 0.0241 | 0.00264 | 0.00877 | 0.0128 | 0.0059 |
| Toluene | 12 | 650 | 0.0256 | 0.0115 | 0.0151 | 0.0756 | 0.00389 |
| Ethylbenzene | 13 | 400 | 0.0344 | 0.00264 | 0.0124 | 0.137 | 0.00389 |
| Total Xylenes | 150 | 320 | 0.0935 | 0.0526 | 0.0397 | 0.378 | 0.0117 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.1776** | **0.0694** | **0.0760** | **0.6034** | **0.0254** |

Values in gray-shaded cells were non-detects at the specified detection limit. Detection limits of non-detects were included in the calculations.

Values in white text inside black cells exceed the most stringent TACO Tier 1 Residential Remediation Objective.

[a]From Section 742.APPENDIX A, Table A.

Key:

COCs = Contaminants of concern.

mg/kg = Milligrams per kilogram.

RO = Remediation objective.

# EXHIBIT B

**Excavation Wall Sample Analytical Results and Sum of Organic COC Concentrations**
**AAA Service Center**
**2008**

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | W-1 | W-2 | W-3 | W-4 | W-5 | W-6 | W-7 | W-8 |
|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 1/14/2008 | 1/14/2008 | 1/14/2008 | 1/14/2008 | 1/14/2008 | 1/14/2008 | 1/17/2008 | 1/15/2008 |
| BTEX (mg/kg) | | | | | | | | | | |
| Benzene | 0.03 | 870 | **8.11** | **0.707** | **0.354** | 0.002 | 0.0018 | 0.0045 | **1.24** | **3.62** |
| Toluene | 12 | 650 | 0.0643 | 0.0701 | 0.0789 | 0.0032 | 0.0018 | 0.0034 | 0.0694 | 2.820 |
| Ethylbenzene | 13 | 400 | 5.020 | 2.530 | 5.420 | 0.0028 | 0.0018 | 0.0022 | 6.120 | 11.000 |
| Total Xylenes | 150 | 320 | 26.900 | 2.290 | 1.350 | 0.0053 | 0.0046 | 0.0108 | 4.720 | 79.000 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **40.0943** | **5.5971** | **7.2029** | **0.0133** | **0.01** | **0.0209** | **12.1494** | **96.44** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | W-9 | W-10 | W-11 | W-12 |
|---|---|---|---|---|---|---|
| Date Sampled | | | 1/16/2008 | 1/16/2008 | 1/16/2008 | 1/17/2008 |
| BTEX (mg/kg) | | | | | | |
| Benzene | 0.03 | 870 | **0.627** | 0.0073 | 0.0021 | 0.0116 |
| Toluene | 12 | 650 | 0.0024 | 0.0058 | 0.0021 | 0.0078 |
| Ethylbenzene | 13 | 400 | 0.0022 | 0.0030 | 0.0021 | 0.0159 |
| Total Xylenes | 150 | 320 | 0.0054 | 0.0055 | 0.0052 | 0.0312 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **0.637** | **0.0216** | **0.0115** | **0.0665** |

**Excavation Floor Sample Analytical Results and Sum of Organic COC Concentrations**
**AAA Service Center**
**2008**

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-1 | F-2 | F-3 | F-4 | F-5 | F-6 | F-7 | F-8 |
|---|---|---|---|---|---|---|---|---|---|---|
| Date Sampled | | | 1/14/2008 | 1/14/2008 | 1/14/1908 | 1/15/2008 | 1/15/1908 | 1/15/2008 | 10/20/2004 | 1/16/2008 |
| BTEX (mg/kg) | | | | | | | | | | |
| Benzene | 0.03 | 870 | **0.0732** | 0.0018 | **0.2620** | **0.0471** | **0.1260** | **0.1310** | 0.0030 | **0.4100** |
| Toluene | 12 | 650 | 0.206 | 0.0030 | 0.0043 | 0.0061 | 0.189 | 0.149 | 0.0030 | 0.186 |
| Ethylbenzene | 13 | 400 | 22.9 | 0.0017 | 0.0095 | 0.071 | 25.8 | 14.7 | 0.00303 | 2.470 |
| Total Xylenes | 150 | 320 | 67.1 | 0.0042 | 0.0160 | 0.0673 | 27.600 | 20.100 | 0.00909 | 4.220 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **90.2792** | **0.0107** | **0.2918** | **0.1915** | **53.7150** | **35.0800** | **0.0182** | **7.2860** |

| | Lowest Residential Tier 1 RO (mg/kg) | Soil Saturation Limit[a] (mg/kg) | F-9 | F-10 |
|---|---|---|---|---|
| Date Sampled | | | 1/16/2009 | 1/17/2009 |
| BTEX (mg/kg) | | | | |
| Benzene | 0.03 | 870 | **1.1200** | 0.0022 |
| Toluene | 12 | 650 | 0.435 | 0.0066 |
| Ethylbenzene | 13 | 400 | 9.550 | 0.233 |
| Total Xylenes | 150 | 320 | 33.100 | 0.0634 |
| **Sum of Concentrations of Organic COCs (mg/kg)** | | | **44.2050** | **0.3052** |

Values in gray-shaded cells were non-detects at the specified detection limit. Detection limits of non-detects were included in the calculations.

Values in white text inside black cells exceed the most stringent TACO Tier 1 Residential Remediation Objective.

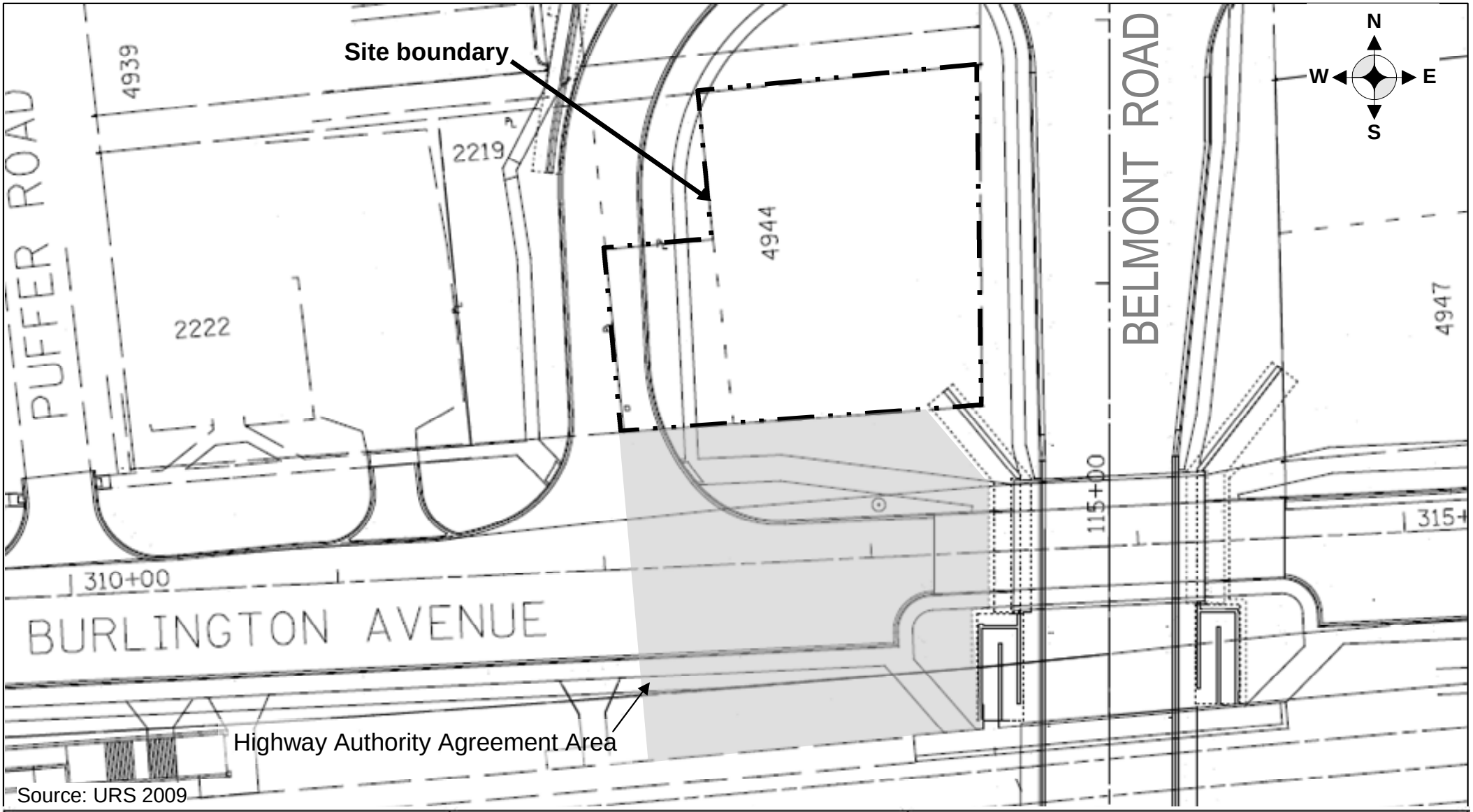
[a]From Section 742.APPENDIX A, Table A.

Key:

COCs = Contaminants of concern.

mg/kg = Milligrams per kilogram.

RO = Remediation objective.




Source: URS 2009

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International Specialists in the Environment

SCALE

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**EXHIBIT C**

**HIGHWAY AUTHORITY AGREEMENT AREA**
**(Current Site Configuration)**

AAA Service Center/Litt Property
LUST Incident 20011429, DuPage County

| DESIGNED BY | CHECKED BY | DATE | FILE NO. | DRAWING NO. | REV. |
|---|---|---|---|---|---|
| B. Sass | | 11/23/2011 | | | |
| DRAWN BY | APPROVED BY | | | | |