

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 19, 2014 AGENDA**

| SUBJECT: | TYPE: | SUBMITTED BY: |
|--|--|-----------------------------------|
| Highway Authority Agreement with Helmut-Vito Service, Inc. for 1430 Ogden Avenue | ✓ Resolution Ordinance Motion Discussion Only | Enza Petrarca Village Attorney |

SYNOPSIS

A resolution has been prepared which allows the Village to enter into a Highway Authority Agreement (HAA) and Supplemental Agreement (SA) with Helmut Michael, Vitomir Jurasic and Helmut-Vito Service, Inc. for the property located at 1430 Ogden Avenue. The HAA and SA are intended to address any potential soil and/or groundwater contamination from underground storage tank(s) which may extend into the Village’s right-of-way.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 19, 2014 consent agenda.

BACKGROUND

Helmut Michael and Vitomir Jurasic, the owners of the property located at 1430 Ogden Avenue, along with Helmut-Vito Service, Inc., the operator of the business at that address, have requested that the Village enter into a Highway Authority Agreement (HAA) with them. The owners are currently seeking a “No Further Remediation” (NFR) letter from the IEPA for a Leaking Underground Storage Tank (LUST) incident associated with the former gasoline service station located at 1430 W. Ogden Avenue.

This agreement needs to be submitted to the IEPA in order to obtain the NFR letter to adequately address currently inaccessible suspected petroleum hydrocarbon impaction beneath a portion of the right-of-way of Belle Aire Lane. The IEPA recently changed the agreement template and removed many terms that were favorable to a municipality (most importantly, the indemnification provision). As such, property/business owners and municipalities have been entering into separate supplemental agreements to include those provisions. An IEPA attorney has advised that this is an acceptable practice. Although the Supplemental Agreement does not need to be submitted to the IEPA for review and approval, both agreements will be recorded with the DuPage County Recorder’s Office.

This Agreement provides that the owners/operator will accept liability and responsibility for any leak beneath the Village’s highway right-of-way on Belle Aire Lane from any underground storage tanks that were or still are located there. The Village is granted a release from liability for said contamination and the owners/operator indemnify the Village for any claims.

It is further part of the Agreements that should the Village need to excavate through the contaminated soil in the right-of-way, the owners will reimburse the Village’s costs of dealing with the contamination including clean-up and disposal. Without such an agreement, this type of reimbursement would be very difficult to obtain considering the proof problems incurred in such a situation.

The Village's commitment in the agreements is two-fold: (1) it will prohibit potable and domestic uses of the groundwater from this area (Section 25-52 of the Village's Municipal Code already prohibits this); and (2) it will limit access to the soil in this area by the Village and others through the Village's right-of-way permit process to prevent release of any contaminants. If soil is excavated, human health and the environment must be protected. The Agreements do not limit the Village's right to construct, reconstruct, repair or maintain and operate the right-of-way as long as it is done in accordance with applicable environmental laws and regulations.

ATTACHMENTS

Resolution

Highway Authority Agreement

Supplemental Agreement

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF A
HIGHWAY AUTHORITY AGREEMENT AND SUPPLEMENTAL AGREEMENT
BETWEEN THE VILLAGE OF DOWNERS GROVE
AND MICHAEL HELMUT, VITOMIR JURASIC AND HELMUT-VITO SERVICE, INC.**

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 Agreements (the “Agreements”), between the Village of Downers Grove (the “Highway Authority”) and Michael Helmut and Vitomir Jurasic (collectively referred to as “Owner”) and Helmut-Vito Services, Inc. (the “Operator”), for certain corrective action and remediation objectives with regard to the contamination of soil and/or groundwater at 1430 West Ogden Avenue, Downers Grove, Illinois, as set forth in the form of the Agreements submitted to this meeting with the recommendation of the Village Manager, are 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 Agreements, 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 Agreements.

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

HIGHWAY AUTHORITY AGREEMENT

This Agreement is entered into this 27th day of June, 2014, pursuant to 35 Ill. Adm. Code 742.1020 by and between (1) Helmut Michael and Vitomir Jurasic (collectively referred to as "Owner"), (2) Helmut-Vito Service, Inc. ("Operator"), and (3) the Village of Downers Grove ("Highway Authority"), collectively known as the "Parties."

WHEREAS, Helmut Michael and Vitomir Jurasic are the owners of one or more leaking underground storage tanks presently or formerly located at 1430 West Ogden Avenue, Downers Grove, Illinois 60515 ("the Site");

WHEREAS, Helmut-Vito Service, Inc. is the current operator of the Site;

WHEREAS, as a result of one release of contaminants from the above reference underground storage tanks ("the Release"), soil and/or groundwater contamination at the Site exceeds Tier 1 residential remediation objectives of 35 Ill Adm. Code 742;

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

WHEREAS, the Owner is conducting corrective action in response to the Release;

WHEREAS, the Parties desire to prevent groundwater beneath the Highway Authority's right-of-way that exceeds Tier 1 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 983104 to the Release.
3. Attached as **Exhibit A** are scaled maps 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 1 residential remediation objectives as a result of the Release.
4. Attached as **Exhibit B** are tables prepared by the Owner/Operator 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 as **Exhibit A**.

5. Attached as **Exhibit C** is a scaled map prepared by the Owner/Operator showing the area of 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-of-Way that gives it sole control over the use of 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 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 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 environmental 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.
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 Agreement and is signed by the Highway Authority, or

subsequent transferor, and the transferee.

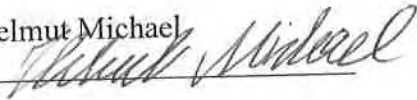
11. This Agreement shall become effective on the date the Agency issues a no further remediation determination for the Release. It shall remain effective until the Right-of-Way is demonstrated to be suitable for unrestricted use and the Agency issues a new no further remediation determination to reflect 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 any of the Parties or any transferee violates any terms 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 addresses 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 the following addresses:

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

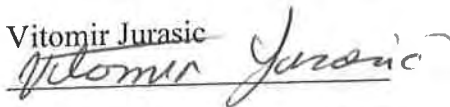
Village of Downers Grove
David Fieldman, Village Manager
801 Burlington Avenue
Downers Grove, IL 60515

OWNERS:

Helmut Michael



Vitomir Jurasic



OPERATOR:

Helmut-Vito Service, Inc.
1430 West Ogden Avenue
Downers Grove, IL 60515

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

VILLAGE OF DOWNERS GROVE

Date: _____

By: _____

Its: _____

OWNER

Date: 06/29/2014

Helmut Michael

Helmut Michael

OWNER

Date: 06-27-2014

Vitomir Jurasic

Vitomir Jurasic

OPERATOR

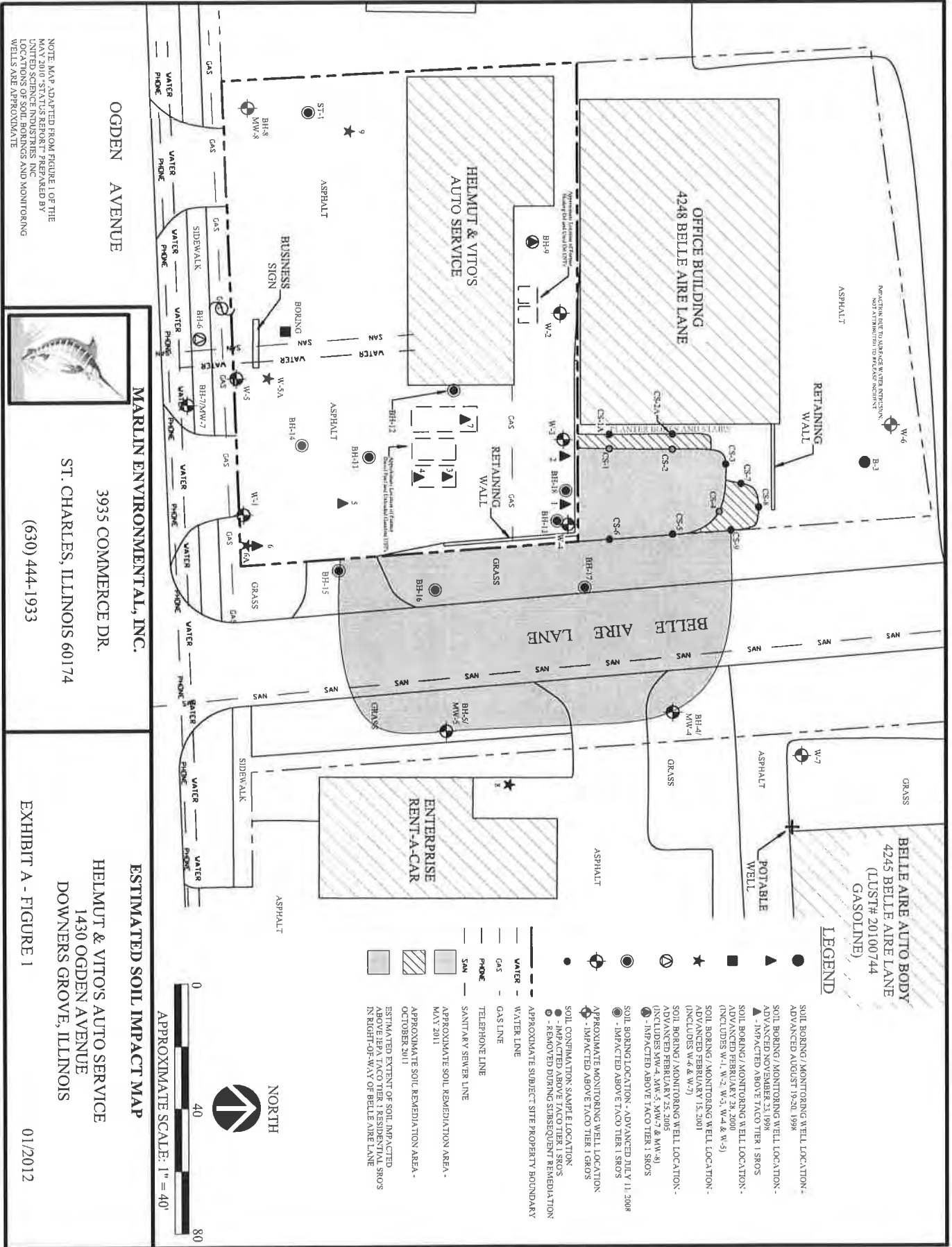
Date: 8-12-14

Jim Dawson
By: ANTHONY SPANOVIC & Jim Dawson
Its: PRESIDENT & VICE PRESIDENT

EXHIBIT A

VILLAGE OF DOWNERS GROVE
HIGHWAY AUTHORITY AGREEMENT

Helmut & Vito's Service & Parts Property
1430 West Ogden Avenue
Downers Grove, Illinois



NOTE: MAP ADAPTED FROM FIGURE 1 OF THE MAY 2010 "STATUS REPORT" PREPARED BY UNITED SCIENCE INDUSTRIES INC. LOCATIONS OF SOIL BORINGS AND MONITORING WELLS ARE APPROXIMATE

EXHIBIT A - FIGURE 1

01/2012

NOTE: MAP ADAPTED FROM FIGURE 1 OF THE MAY 2010 "STATUS REPORT" PREPARED BY UNITED SCIENCE INDUSTRIES INC. LOCATIONS OF SOIL BORINGS AND MONITORING WELLS ARE APPROXIMATE



OGDEN AVENUE
 3935 COMMERCE DR.
 MARLIN ENVIRONMENTAL, INC.
 ST. CHARLES, ILLINOIS 60174
 (630) 444-1933

ESTIMATED GROUNDWATER IMPACT MAP
 HELMUT & VITOS AUTO SERVICE
 1430 OGDEN AVENUE
 DOWNERS GROVE, ILLINOIS
 EXHIBIT A - FIGURE 2
 01/2012

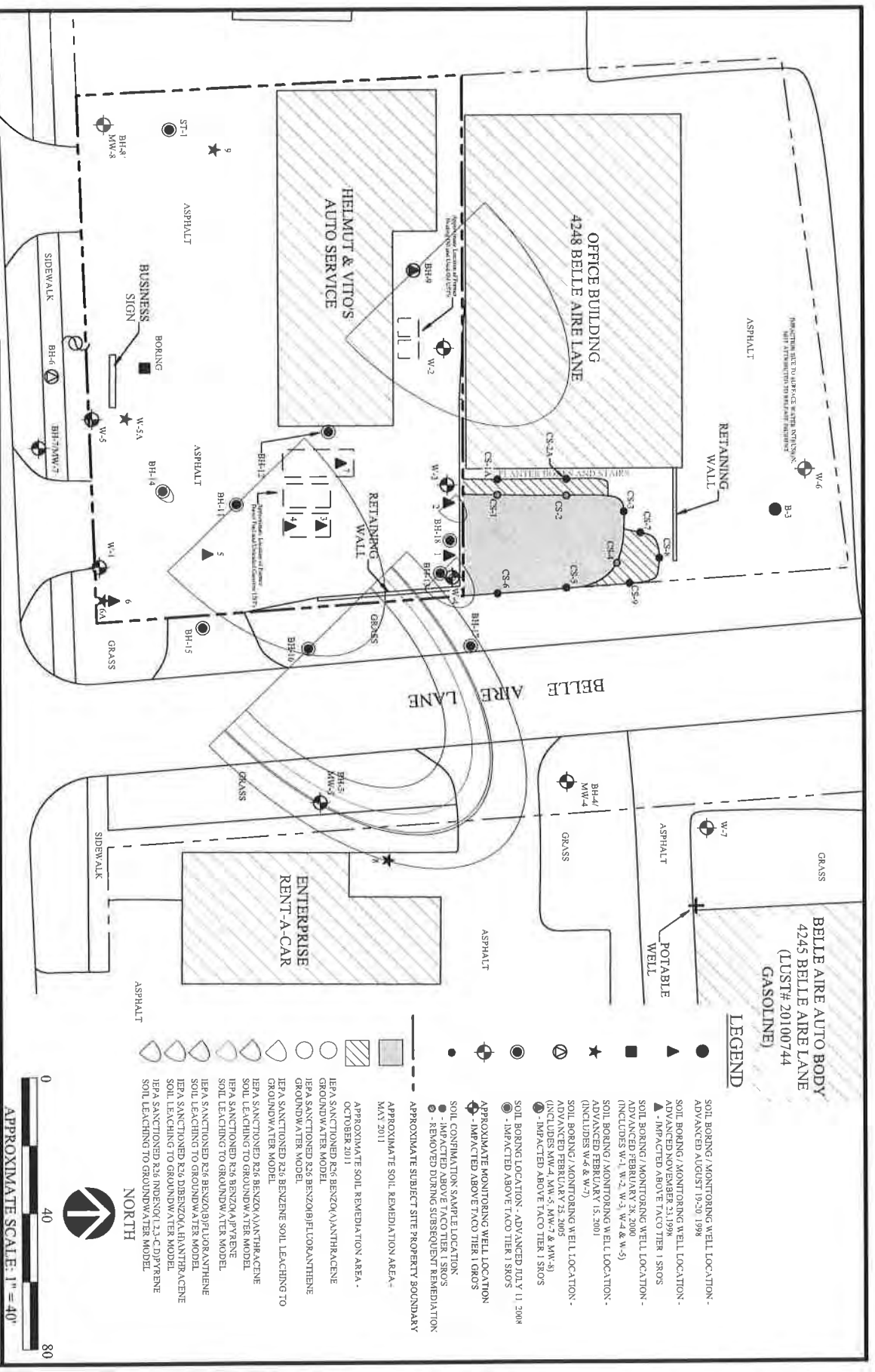


EXHIBIT B

VILLAGE OF DOWNERS GROVE
HIGHWAY AUTHORITY AGREEMENT

Helmut & Vito's Service & Parts Property
1430 West Ogden Avenue
Downers Grove, Illinois

TABLE I
Summary of Soil Analytical Results - August 1998 through February 2005 Investigations

| Date of Sample Collection | B-1 12' | B-2 12' | B-3 12' | #1** 7.5'-10' | #1** 15' | #2 15' | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | | Metropolitan Statistical Area Background Concentration | | |
|---|-----------------|------------------|---------------|------------------|-----------------|----------------|--|------------|-------------------------------|---------------------------|--------------------------------|-------------|--|------------------------|--------|
| | | | | | | | Soil Component of the Groundwater Ingestion Exposure Pathway | | Ingestion Exposure Pathway | | Inhalation Exposure Pathway | | | | |
| | | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | Construction Worker | |
| Contaminants of Concern: | | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035A/9260B) | | | | | | | | | | | | | | | |
| Benzene | µg/Kg 3,400 | µg/Kg 1,500 | µg/Kg <2.0 | µg/Kg 12,000 | µg/Kg 1,300 | µg/Kg 1,200 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | --- |
| Toluene | µg/Kg 11,000 | µg/Kg <500 | µg/Kg <5.0 | µg/Kg <2,000 | µg/Kg <400 | µg/Kg <400 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | --- |
| Ethylbenzene | µg/Kg 2,300 | µg/Kg 34,000 | µg/Kg <5.0 | µg/Kg 130,000 | µg/Kg 6,600 | µg/Kg 5,800 | 13,000 | 19,000 | 7,800,000 | 20,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | --- |
| Total Xylenes | µg/Kg <1,500 | µg/Kg 120,000 | µg/Kg <15 | µg/Kg 510,000 | µg/Kg 27,000 | µg/Kg 8,500 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | --- |
| Polynuclear Aromatic Hydrocarbon (3270C) | | | | | | | | | | | | | | | |
| Acenaphthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | --- | --- | --- | 130 |
| Acenaphthylene | µg/Kg <30 | µg/Kg <30 | µg/Kg <30 | µg/Kg --- | µg/Kg --- | µg/Kg --- | --- | --- | --- | --- | --- | --- | --- | --- | 70 |
| Anthracene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | --- | --- | --- | 400 |
| Benz(a)anthracene | µg/Kg <8.7 | µg/Kg 100 | µg/Kg 9.5 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 2,000 | 8,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,800* |
| Benz(b)fluoranthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 8,000 | 82,000 | 900* | 800* | 17,000 | --- | --- | --- | 2,100* |
| Benz(k)fluoranthene | µg/Kg <8.7 | µg/Kg 84 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 5,000 | 25,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 2,100* |
| Benzofluoranthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | --- | --- | --- | 1,700 |
| Benzofluoranthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | --- | --- | --- | --- | --- | --- | --- | --- | 1,700 |
| Chrysene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg 13 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | --- | --- | --- | 2,700 |
| Dibenzofluoranthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 2,000 | 7,600 | 90* | 800 | 17,000 | --- | --- | --- | 420* |
| Fluoranthene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg 21 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 4,100 |
| Fluorene | µg/Kg <8.7 | µg/Kg 110 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 180 |
| Indeno(1,2,3-cd)pyrene | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 14,000 | 69,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,600* |
| Phenanthrene | µg/Kg <8.7 | µg/Kg 270 | µg/Kg 11 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Pyrene | µg/Kg <8.7 | µg/Kg 210 | µg/Kg <8.7 | µg/Kg --- | µg/Kg --- | µg/Kg --- | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | --- | --- | --- | 2,500 |
| | | | | | | | | | | | | | | | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SRO the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) ideal.
 Note: ** = Sample location #1 was resampled in July 2008, refer to results from soil borings BH-13 and BH-11.
 Note: Italicized soil samples removed during May 2011 soil remediation activities.

TABLE I
Summary of Soil Analytical Results – August 1998 through February 2005 Investigations

| Contaminants of Concern | #6 15' | #7 15' | Boring 10' | W-5A 7'-9' | W-6 6'-8' | W-7 5'-7' | Soil Component of the Groundwater Ingestion Exposure Pathway | | EPA TACO Tier 1 Soil Remediation Objectives | | | | | Metropolitan Statistical Area Background Concentration | |
|---|-----------|-----------|---------------|---------------|--------------|--------------|--|------------|--|---------------------------|------------------------|-------------|---------------------------|--|------------------------|
| | | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | | Construction Worker |
| CEMTECH Organic Compounds (5035/N/8260B) | | | | | | | | | | | | | | | |
| Benzene | <20 | 74 | 4.3 | 3.0 | <2.0 | <2.0 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | 130 |
| Toluene | <20 | <20 | 12.0 | <2.0 | <2.0 | <2.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | 400 |
| Ethylbenzene | <20 | <20 | 31 | <2.0 | <2.0 | <2.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | --- |
| Total Xylenes | <20 | <20 | 19 | <5.0 | <5.0 | <5.0 | 130,000 | 130,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | --- |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | | |
| Acenaphthene | --- | --- | <400 | --- | --- | --- | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | --- | --- | --- | 130 |
| Acenaphthylene | --- | --- | <400 | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | 70 |
| Anthracene | --- | --- | 1,300 | <60 | <60 | <60 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | --- | --- | --- | 400 |
| Benz(a)anthracene | --- | --- | 1,700 | <8.7 | <8.7 | <8.7 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,800* |
| Benz(a)pyrene | --- | --- | 1,400 | <15 | <15 | <15 | 5,000 | 82,000 | 900* | 800* | 170,000 | --- | --- | --- | 2,100* |
| Benz(b)fluoranthene | --- | --- | 1,400 | <11 | <11 | <11 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 2,100* |
| Benz(k)fluoranthene | --- | --- | 1,200 | <11 | <11 | <11 | 49,000 | 230,000 | 9,000 | 78,000 | 1,700,000 | --- | --- | --- | 1,700 |
| Benz(g,h,i)perylene | --- | --- | 780 | <51 | <51 | <51 | --- | --- | --- | --- | --- | --- | --- | --- | 1,700 |
| Chrysene | --- | --- | 1,900 | <100 | <100 | <100 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | --- | --- | --- | 2,700 |
| Dibenz(a,h)anthracene | --- | --- | 120 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | --- | --- | --- | 420* |
| Fluoranthene | --- | --- | 4,600 | <60 | <60 | <60 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 4,100 |
| Fluorene | --- | --- | 650 | <140 | <140 | <140 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 1,800 |
| Indeno(1,2,3-cd)pyrene | --- | --- | 650 | <29 | <29 | <29 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,600* |
| Naphthalene | --- | --- | <400 | <660 | <660 | <660 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | --- | --- | 4,300 | <660 | <660 | <660 | --- | --- | --- | --- | --- | --- | --- | --- | 2,500 |
| Pyrene | --- | --- | 4,800 | <180 | <180 | <180 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | --- | --- | --- | 3,000 |

* Pursuant to 35 IAC 742-415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Area) exceed the most stringent EPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedence of the applicable EPA TACO Tier 1 SROs (or PNA background concentrations) is bolded.
 Note: Fabricated soil samples removed during May 2011 soil remediation activities.

TABLE I
Summary of Soil Analytical Results - August 1998 through February 2005 Investigations

| Date of Sample Collection | #4 11'-13' | #8 8'-10' | #9 9'-11' | BH-1 6'-7' | BH-2 6'-7' | BH-3 8'-9' | EPA TACO Tier 1 Soil Remediation Objectives | | | | | | | | |
|---|---------------|--------------|--------------|---------------|---------------|---------------|--|------------|-------------------------------|---------------------------|------------------------|--------------------------------|---------------------------|--|------------------------|
| | | | | | | | Soil Component of the Groundwater Ingestion Exposure Pathway | | Ingestion Exposure Pathway | | | Inhalation Exposure Pathway | | Metropolitan Statistical Area Background Concentration | |
| | | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | | Construction Worker |
| Contaminants of Concern: | | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035-AVZ60B) | | | | | | | | | | | | | | | |
| Benzene | <2.0 | <2.0 | <2.0 | 350 | 1,200 | --- | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,300 | --- |
| Toluene | <2.0 | <2.0 | <2.0 | 290 | <30 | --- | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | --- |
| Ethylbenzene | <2.0 | <2.0 | <2.0 | 8,500 | 68,000 | --- | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | --- |
| Total Xylenes | <5.0 | <5.0 | <5.0 | 570 | 4,600 | --- | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 330,000 | 320,000 | 5,600 | --- |
| Polycyclic Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | | |
| Acenaphthene | --- | --- | --- | 42 | 570 | --- | 570,000 | 2,900,000 | 4,700,000 | 130,000,000 | 120,000,000 | --- | --- | --- | 130 |
| Acenaphthylene | --- | --- | --- | <31 | 100 | --- | --- | --- | --- | --- | --- | --- | --- | --- | 70 |
| Anthracene | <660 | <660 | <660 | <31 | 350 | --- | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | --- | --- | --- | 400 |
| Benzofluoranthene | 44 | <8.7 | <8.7 | 54 | 670 | --- | 2,000 | 8,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,800* |
| Benzol(a)pyrene | 26 | <15 | <15 | 37 | 440 | --- | 8,000 | 82,000 | 900* | 600* | 17,000 | --- | --- | --- | 2,100* |
| Benzofluoranthene | 29 | <11 | <11 | 34 | 440 | --- | 5,000 | 25,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 2,100* |
| Benzol(k)fluoranthene | 26 | <11 | <11 | 33 | 400 | --- | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | --- | --- | --- | 1,700 |
| Benzol(g)hperylene | <51 | <51 | <51 | <31 | 91 | --- | --- | --- | --- | --- | --- | --- | --- | --- | 1,700 |
| Chrysene | <100 | <100 | <100 | <30 | 610 | --- | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | --- | --- | --- | 2,700 |
| Dibenzofluoranthene | <20 | <20 | <20 | <31 | 40 | --- | 2,000 | 7,600 | 90* | 80 | 17,000 | --- | --- | --- | 420* |
| Fluoranthene | <660 | <660 | <660 | 140 | 1,600 | --- | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 4,100 |
| Fluorene | <140 | <140 | <140 | 36 | 380 | --- | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 180 |
| Indeno(1,2,3-cd)pyrene | <29 | <29 | <29 | <31 | 110 | --- | 14,000 | 69,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,600* |
| Naphthalene | <660 | <660 | <660 | 870 | 14,000 | --- | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | <660 | <660 | <660 | 170 | 1,500 | --- | --- | --- | --- | --- | --- | --- | --- | --- | 2,500 |
| Pyrene | <180 | <180 | <180 | 120 | 1,100 | --- | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | --- | --- | --- | 3,000 |

* Pursuant to 35 IAC 742-415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Area) exceed the most stringent EPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.

Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentration.

Note: Precedence of the applicable EPA TACO Tier 1 SROs (or PNA background concentrations) should be used.

Note: Italicized soil samples removed during May 2011 soil remediation activities.

TABLE I
Summary of Soil Analytical Results – August 1998 through February 2005 Investigations

| Date of Sample Collection | BH-4 7-8* | BH-5 11-12* | BH-6 8-9* | BH-7 8-9* | BH-8 7-8* | BH-9 7-8* | EPA TACO Tier 1 Soil Remediation Objectives | | | | | | Metropolitan Statistical Area Background Concentration | | |
|---|----------------|----------------|----------------|----------------|----------------|----------------|--|------------|-----------------------------|---------------------------|--------------------------------|-------------|--|------------------------|--------|
| | | | | | | | Soil Component of the Groundwater Ingestion Exposure Pathway | | Soil Remediation Objectives | | Inhalation Exposure Pathway | | | | |
| | | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | Construction Worker | |
| Contaminants of Concern: | | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5095-A8260B) | | | | | | | | | | | | | | | |
| Benzene | µg/Kg <9.6 | µg/Kg <5.2 | µg/Kg <9.7 | µg/Kg <5.9 | µg/Kg <6.9 | µg/Kg <10.0 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | --- |
| Toluene | µg/Kg <9.6 | µg/Kg <5.2 | µg/Kg <9.7 | µg/Kg <5.9 | µg/Kg <6.9 | µg/Kg <10.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | --- |
| Ethylbenzene | µg/Kg <9.6 | µg/Kg <5.2 | µg/Kg <9.7 | µg/Kg <5.9 | µg/Kg <6.9 | µg/Kg <10.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | --- |
| Total Xylenes | µg/Kg <19.0 | µg/Kg <10.0 | µg/Kg <19.0 | µg/Kg <12.0 | µg/Kg <14.0 | µg/Kg <21.0 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 370,000 | 320,000 | 5,600 | --- |
| Polycyclic Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | | |
| Acenaphthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | --- | --- | --- | 130 |
| Acenaphthylene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | --- | --- | --- | --- | --- | --- | --- | --- | 70 |
| Anthracene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | --- | --- | --- | 400 |
| Benz(a)anthracene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,800* |
| Benzofluoranthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 8,000 | 82,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 2,100* |
| Benzofluoranthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 5,000 | 25,000 | 900* | 8,000 | 1,700,000 | --- | --- | --- | 1,700 |
| Benzofluoranthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | --- | --- | --- | 1,700 |
| Benzofluoranthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 2,900 | --- | --- | --- | --- | --- | --- | --- | 2,700 |
| Chrysene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | --- | --- | --- | 2,700 |
| Dibenz(a,h)anthracene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 2,000 | 7,600 | 90* | 800 | 17,000 | --- | --- | --- | 420* |
| Fluoranthene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 4,100 |
| Fluorene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 180 |
| Indeno(1,2,3-cd)pyrene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,600* |
| Naphthalene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 1,100 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | --- | --- | --- | --- | --- | --- | --- | --- | 2,500 |
| Pyrene | µg/Kg <30 | µg/Kg <29 | µg/Kg <32 | µg/Kg <33 | µg/Kg <30 | µg/Kg <50 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 51,000,000 | --- | --- | --- | 3,000 |

* Pursuant to 35 IAC 742-415(b)(2), for these PNA compounds whose background concentrations (within Metropolitan Statistical Area) exceed the most stringent EPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.

Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.

Note: Exceedences of the applicable EPA TACO Tier 1 SRO's (or PNA background concentrations) **bold**

TABLE II
Summary of Soil Analytical Results – July 2008 Investigation

| Date of Sample Collection: | BH-11 3-4' | BH-11 8-9' | BH-11 12-13' | BH-12 3-4' | BH-12 8-9' | Soil Component of the Groundwater Ingestion Exposure Pathway | | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | Metropolitan Statistical Area Background Concentration | |
|--|----------------|---------------|-----------------|---------------|---------------|--|------------|---|---------------------------|------------------------|-------------|---------------------------|--|------------------------|
| | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | | Construction Worker |
| Contaminants of Concern: | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035-NR160B) | | | | | | | | | | | | | | |
| Benzene | µg/kg <5.0 | µg/kg 8.0 | µg/kg 76.2 | µg/kg <5.0 | µg/kg <5.0 | 30 | 170 | 13,000 | 100,000 | 2,500,000 | 800 | 1,600 | 2,200 | — |
| Toluene | µg/kg <5.0 | µg/kg <5.0 | µg/kg <100 | µg/kg <5.0 | µg/kg <5.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | — |
| Ethylbenzene | µg/kg <5.0 | µg/kg <5.0 | µg/kg 559 | µg/kg <5.0 | µg/kg <5.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | — |
| Total Xylenes | µg/kg <5.0 | µg/kg 5.5 | µg/kg 115 | µg/kg <5.0 | µg/kg <5.0 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | |
| Acenaphthene | µg/kg 1,450 | µg/kg 255 | µg/kg <50 | µg/kg <50 | µg/kg 228 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 130 |
| Acenaphthylene | µg/kg 150 | µg/kg <50 | µg/kg <50 | µg/kg <50 | µg/kg <50 | — | — | — | — | — | — | — | — | 70 |
| Anthracene | µg/kg 1,940 | µg/kg 65 | µg/kg <50 | µg/kg <50 | µg/kg 139 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 |
| Benzo(a)anthracene | µg/kg 3,370 | µg/kg 73.8 | µg/kg 18.1 | µg/kg 9.2 | µg/kg 194 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benzo(a)pyrene | µg/kg 3,700 | µg/kg 72 | µg/kg <15 | µg/kg <15 | µg/kg 122 | 8,000 | 82,000 | 90* | 800* | 170,000 | — | — | — | 2,100* |
| Benzo(b)fluoranthene | µg/kg 3,510 | µg/kg 64 | µg/kg <11 | µg/kg <11 | µg/kg 80 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benzo(k)fluoranthene | µg/kg 2,440 | µg/kg 57 | µg/kg <11 | µg/kg <11 | µg/kg 93 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Benzo(ghi)perylene | µg/kg 1,180 | µg/kg <50 | µg/kg <50 | µg/kg <50 | µg/kg <50 | — | — | — | — | — | — | — | — | 1,700 |
| Chrysene | µg/kg 3,600 | µg/kg 71 | µg/kg <20 | µg/kg <50 | µg/kg 177 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 |
| Dibenzof(a,h)anthracene | µg/kg 294 | µg/kg <20 | µg/kg <20 | µg/kg <20 | µg/kg <50 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | µg/kg 8,160 | µg/kg 183 | µg/kg 58 | µg/kg <50 | µg/kg 528 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 |
| Indeno(1,2,3-cd)pyrene | µg/kg 1,800 | µg/kg 233 | µg/kg <50 | µg/kg <50 | µg/kg 101 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 180 |
| Naphthalene | µg/kg 1,490 | µg/kg 33 | µg/kg <29 | µg/kg <29 | µg/kg <50 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 1,600* |
| Phenanthrene | µg/kg 375 | µg/kg 37 | µg/kg 587 | µg/kg <25 | µg/kg <50 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Pyrene | µg/kg 8,920 | µg/kg 134 | µg/kg 96 | µg/kg <50 | µg/kg 118 | — | — | — | — | — | — | — | — | 2,500 |
| | µg/kg 6,520 | µg/kg 169 | µg/kg <50 | µg/kg <50 | µg/kg 384 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.
Note: Initial soil samples removed during May 2011 soil remediation activities.

TABLE II
Summary of Soil Analytical Results – July 2008 Investigation

| Date of Sample Collection: | BH-12 13-14' | BH-13 3-4' | BH-13 8-9' | BH-13 11-12' | BH-14 5-6' | Soil Component of the Groundwater Ingestion Exposure Pathway | | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | Inhalation Exposure Pathway | | Metropolitan Statistical Area Background Concentration |
|--|-----------------|---------------|---------------|-----------------|---------------|--|------------|--|-----------------------|---------------------|-------------|-----------------------|-----------------------------|--------|--|
| | | | | | | Class I | Class II | Residential | Industrial/Commercial | Construction Worker | Residential | Industrial/Commercial | Construction Worker | | |
| Contaminants of Concern: | | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035A/82608) | | | | | | | | | | | | | | | |
| Benzene | µg/kg 46.4 | <5.0 | <5.0 | 3,850 | 1,960 | 56.2 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | --- |
| Toluene | µg/kg <100 | <5.0 | 337 | 298 | <5.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | --- | |
| Ethylbenzene | µg/kg <100 | <5.0 | 29,300 | 25,600 | 5.8 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | --- | |
| Total Xylenes | µg/kg <100 | <5.0 | 82,900 | 84,900 | 33.5 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 330,000 | 320,000 | 5,600 | --- | |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | | |
| Acenaphthene | µg/kg <30 | <50 | 147 | 63 | <50 | 570,000 | 2,000,000 | 4,700,000 | 120,000,000 | 120,000,000 | --- | --- | --- | 130 | |
| Acenaphthylene | µg/kg <50 | 65 | <50 | <50 | <50 | --- | --- | --- | --- | --- | --- | --- | --- | 70 | |
| Anthracene | µg/kg 52 | 122 | 178 | 70 | <50 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | --- | --- | --- | 400 | |
| Benzol(a)anthracene | µg/kg 61.2 | 466 | 94.5 | 52 | 23.5 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 1,800* | |
| Benzol(b)pyrene | µg/kg 42 | 476 | 49 | 26 | 24 | 8,000 | 82,000 | 907* | 800* | 17,000 | --- | --- | --- | 2,100* | |
| Benzol(k)fluoranthene | µg/kg 30 | 373 | 61 | 37 | 21 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 2,100* | |
| Benzol(k)fluoranthene | µg/kg 21 | 376 | 40 | 29 | 15 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | --- | --- | --- | 1,700 | |
| Benzol(g)h)perylene | µg/kg <50 | 295 | <50 | <50 | <50 | --- | --- | --- | --- | --- | --- | --- | --- | 1,700 | |
| Chrysene | µg/kg 75 | 453 | 90 | 53 | <50 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | --- | --- | --- | 420* | |
| Dibenzol(a,h)anthracene | µg/kg <20 | 102 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | --- | --- | --- | 4,100 | |
| Fluoranthene | µg/kg 170 | 781 | 486 | 218 | 57 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 180 | |
| Indeno(1,2,3-cd)pyrene | µg/kg <29 | <50 | 188 | 73 | <50 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | --- | --- | --- | 1,600* | |
| Naphthalene | µg/kg <29 | 326 | <29 | <29 | <29 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | --- | --- | --- | 200 | |
| Phenanthrene | µg/kg <50 | <25 | 4,460 | 2,120 | <25 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 2,500 | |
| Pyrene | µg/kg 108 | 172 | 804 | 274 | <50 | --- | --- | --- | --- | --- | --- | --- | --- | 2,500 | |
| | | | 696 | 338 | 54 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | --- | --- | --- | 3,000 | |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold
 Note: Bolded soil samples removed during May 2011 soil remediation activities.

TABLE II
Summary of Soil Analytical Results – July 2008 Investigation

| Date of Sample Collection: | BH-14 7'-8' | BH-14 13'-14' | BH-15 5'-6' | BH-15 9'-10' | BH-15 12'-13' | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | | | | Metropolitan Statistical Area Background Concentration |
|--|----------------|------------------|----------------|-----------------|------------------|---|------------|-------------|---------------------------|------------------------|-------------|---------------------------|------------------------|--|
| | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | Construction Worker | |
| Contaminants of Concern: | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035/8326B) | | | | | | | | | | | | | | |
| Benzene | 117 | 548 | <5.0 | 17.9 | <5.0 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | — |
| Toluene | <100 | 112 | <5.0 | <5.0 | <5.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | — |
| Ethylbenzene | 275 | 28,000 | <5.0 | <5.0 | <5.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | — |
| Total Xylenes | 265 | 13,400 | <5.0 | <5.0 | <5.0 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | |
| Acenaphthene | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 130 |
| Acenaphthylene | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 | — | — | — | — | — | — | — | — | 70 |
| Anthracene | <5.0 | <5.0 | 116 | <5.0 | <5.0 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 |
| Benz(a)anthracene | <8.7 | 46.9 | 210 | <8.7 | 14 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benz(b)fluoranthene | <15 | 25 | 197 | <15 | <15 | 8,000 | 82,000 | 90* | 8,000 | 17,000 | — | — | — | 2,100* |
| Benz(k)fluoranthene | <11 | 24 | 149 | <11 | <11 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benz(a)fluoranthene | <11 | 18 | 152 | <11 | <11 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Benz(a)anthracene | <5.0 | <5.0 | 74 | <5.0 | <5.0 | — | — | — | — | — | — | — | — | 1,700 |
| Chrysene | <5.0 | <5.0 | 217 | <5.0 | <5.0 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 |
| Dibenz(a,h)anthracene | <20 | <20 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | <5.0 | 141 | 553 | <5.0 | <5.0 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 |
| Fluorene | <5.0 | <5.0 | 52 | <5.0 | <5.0 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 180 |
| Indeno(1,2,3-cd)pyrene | <29 | <29 | 93 | <29 | <29 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 1,600* |
| Naphthalene | 539 | 1,390 | <25 | 539 | 539 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | <5.0 | 175 | 406 | <5.0 | <5.0 | — | — | — | — | — | — | — | — | 2,500 |
| Pyrene | <5.0 | 125 | 481 | <5.0 | <5.0 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.
 Note: Indicated soil samples removed during May 2011 soil remediation activities.

TABLE II
Summary of Soil Analytical Results – July 2008 Investigation

| Date of Sample Collection: | BH-16 4-5' | BH-16 8-9' | BH-17 6-7' | BH-17 8-9' | BH-18 3-4' | Soil Component of the | | IEPA TACO Tier 1 | | | | | | Metropolitan Statistical Area Background Concentration |
|--|---------------|---------------|---------------|---------------|---------------|---|------------|-----------------------------|---------------------------|------------------------|--------------------------------|---------------------------|------------------------|--|
| | | | | | | Groundwater Ingestion Exposure Pathway | Class II | Soil Remediation Objectives | | | Inhalation Exposure Pathway | | | |
| | | | | | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | Construction Worker | |
| Contaminants of Concern: | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5015A/8260B) | | | | | | | | | | | | | | |
| Benzene | <5.0 | <5.0 | 32.5 | 44.5 | 18.6 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | — |
| Toluene | <5.0 | <5.0 | <100 | <100 | 10.4 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | — |
| Ethylbenzene | <5.0 | <5.0 | <100 | <100 | <5.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | — |
| Total Xylenes | <5.0 | <5.0 | <100 | <100 | 12.5 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | |
| Acenaphthene | 4,780 | <50 | <50 | <50 | <50 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 130 |
| Acenaphthylene | 1,130 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 70 |
| Anthracene | 15,400 | <50 | 117 | <50 | 136 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 |
| Benzol(a)anthracene | 30,200 | 67.5 | 560 | <8.7 | 362 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benzol(b)anthracene | 34,200 | 49 | 482 | <15 | 339 | 8,000 | 82,000 | 90* | 8,000* | 17,000 | — | — | — | 2,100* |
| Benzol(a)pyrene | 27,200 | 44 | 488 | <11 | 278 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benzol(k)fluoranthene | 17,700 | 48 | 411 | <11 | 312 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Benzol(g,h)perylene | 19,500 | <50 | 342 | <50 | 141 | — | — | — | — | — | — | — | — | 1,700 |
| Chrysene | 28,300 | 68 | 675 | <50 | 368 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 |
| Dibenzol(a,h)anthracene | 5,130 | <20 | 93 | <20 | 48 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | 73,400 | 176 | 1,580 | <50 | 1,040 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 |
| Indeno(1,2,3-cd)pyrene | 20,600 | <29 | 380 | <29 | 151 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 1,600* |
| Naphthalene | 2,190 | <25 | 37 | 136 | 28 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | 59,100 | 157 | 834 | <50 | 564 | — | — | — | — | — | — | — | — | 2,500 |
| Pyrene | 63,600 | 128 | 1,080 | <50 | 827 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.
 Note: Balcized soil samples removed during May 2011 soil remediation activities.

TABLE II
Summary of Soil Analytical Results – July 2008 Investigation

| Contaminants of Concern: | Date of Sample Collection: | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | | | | | | Metropolitan Statistical Area Background Concentration | | |
|--|----------------------------|--|----------------|-------------------------------|---------------------------|--------------------------------|-------------|---------------------------|------------------------|---------------------------|---------------------------|--|------------------------|--------|
| | | Soil Component of the Groundwater Ingestion Exposure Pathway | | Ingestion Exposure Pathway | | Inhalation Exposure Pathway | | Residential | | Industrial/ Commercial | | | | |
| | | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | Construction Worker | Residential | Industrial/ Commercial | | Construction Worker | |
| BTEX Organic Compounds (5035A/8260B) | | | | | | | | | | | | | | |
| Benzene | BH-18 7-'8' | BH-19 3-'4' | BH-19 7-'8' | BH-20 3-'4' | BH-20 8-'9' | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | 130 |
| | µg/Kg | <5.0 | <5.0 | <100 | <100 | <25 | <50 | <50 | 12,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 42,000 |
| Toluene | <100 | <5.0 | <5.0 | 14,000 | 182 | 1,480 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 58,000 | — |
| Ethylbenzene | 246 | <5.0 | <5.0 | 1,060 | 1,060 | 338 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 5,600 | — |
| Total Xylenes | 338 | <5.0 | <5.0 | 2,020 | 2,020 | 338 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (8770C) | | | | | | | | | | | | | | |
| Acenaphthene | <50 | <250 | 130 | 51 | <50 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 70 |
| Acenaphthylene | <50 | <250 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | — |
| Anthracene | <50 | 146 | 94 | <50 | <50 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 |
| Benzofluoranthene | 17.8 | 392 | 106 | 14.8 | 15 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benzofluoranthene | <15 | 396 | 74 | 25 | <15 | 8,000 | 82,000 | 907* | 8,000* | 17,000 | — | — | — | 2,100* |
| Benzofluoranthene | <11 | 302 | 64 | 14 | <11 | 5,000 | 25,000 | 907* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benzofluoranthene | <11 | 288 | 57 | 12 | <11 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Benzofluoranthene | <50 | 254 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 1,700 |
| Chrysene | <50 | 356 | 92 | <50 | <50 | 150,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 |
| Dibenzofluoranthene | <50 | 62 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | 54 | 834 | 370 | <50 | <50 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 |
| Fluoranthene | <50 | <250 | 127 | <50 | <50 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 180 |
| Indeno(1,2,3-cd)pyrene | <29 | 266 | 51 | <29 | <29 | 14,000 | 69,000 | 907* | 8,000 | 170,000 | — | — | — | 1,600* |
| Naphthalene | 77 | <123 | 2,610 | 33 | 363 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | <50 | 550 | 431 | <50 | <50 | — | — | — | — | — | — | — | — | 2,500 |
| Pyrene | <50 | 754 | 305 | <50 | <50 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(B)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.

TABLE III
Summary of Soil Analytical Results – May & October 2011 Corrective Action

| Date of Sample Collection: | CS-1 | CS-2 | CS-3 | CS-4 | CS-5 | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | | | Metropolitan Statistical Area Background Concentration | |
|--|----------------|-------|------|------|-------------|--|------------|-------------|---------------|---------------------------|------------------------|-------------|--|---------------------------|
| | | | | | | Soil Component of the Groundwater Ingestion Exposure Pathway | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | Residential | | Industrial/ Commercial |
| Continuants of Concern: | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035-V8260B) | | | | | | | | | | | | | | |
| Benzene | µg/kg 3,000 | <25.0 | 28.7 | 96.1 | 35.1 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,200 | — |
| Toluene | µg/kg 9.8 | <500 | <5.0 | <5.0 | <50 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | — |
| Ethylbenzene | µg/kg <5.0 | 2,210 | <5.0 | <5.0 | 555 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | — |
| Total Xylenes | µg/kg 25.4 | <500 | <5.0 | <5.0 | <500 | 130,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (B271C) | | | | | | | | | | | | | | |
| Acenaphthene | µg/kg <50 | 60 | <50 | <50 | <50 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 130 |
| Acenaphthylene | µg/kg <50 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 70 |
| Anthracene | µg/kg <50 | <50 | <50 | <50 | <50 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 |
| Benzofluoranthene | µg/kg <8.7 | 60.1 | <8.7 | <8.7 | <8.7 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benzofluoranthene | µg/kg <15 | 40 | <15 | <15 | <15 | 8,000 | 82,000 | 90* | 800* | 17,000 | — | — | — | 2,100* |
| Benzofluoranthene | µg/kg <11 | 47 | <11 | <11 | <11 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benzofluoranthene | µg/kg <11 | 27 | <11 | <11 | <11 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Benzofluoranthene | µg/kg <50 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 1,700 |
| Chrysene | µg/kg <50 | 55 | <50 | <50 | <50 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 |
| Dibenzofluoranthene | µg/kg <20 | <20 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | µg/kg <50 | 163 | <50 | <50 | <50 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 |
| Fluoranthene | µg/kg <50 | <50 | <50 | <50 | <50 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 180 |
| Indeno(1,2,3-cd)pyrene | µg/kg <29 | <29 | <29 | <29 | <29 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 1,600* |
| Naphthalene | µg/kg 42 | 2,680 | <25 | <25 | 144 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 |
| Phenanthrene | µg/kg <50 | 166 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 2,500 |
| Pyrene | µg/kg <50 | 178 | <50 | <50 | <50 | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.

Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.

Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.

Note: Italized soil samples removed during October 2011 soil remediation activities.

TABLE III
Summary of Soil Analytical Results – May & October 2011 Corrective Action

| Date of Sample Collection: | CS-6 | CS-1A | CS-2A | CS-7 | CS-8 | Soil Component of the Groundwater Ingestion Exposure Pathway | | EPA TACO Tier 1 Soil Remediation Objectives | | | | Inhalation Exposure Pathway | | | Metropolitan Statistical Area Background Concentration |
|---|-------|-------|-------|------|------|--|------------|---|-----------------------|---------------------|-------------|-----------------------------|---------------------|--------|--|
| | | | | | | Class I | Class II | Residential | Industrial/Commercial | Construction Worker | Residential | Industrial/Commercial | Construction Worker | | |
| Contaminants of Concern: | | | | | | | | | | | | | | | |
| BTEX Organic Compounds (5035/V8260B) | | | | | | | | | | | | | | | |
| Benzene | <23.0 | <3.0 | <5.0 | <5.0 | <5.0 | 30 | 170 | 12,000 | 100,000 | 2,300,000 | 800 | 1,600 | 2,300 | — | |
| Toluene | <500 | <5.0 | <5.0 | <5.0 | <5.0 | 12,000 | 29,000 | 16,000,000 | 410,000,000 | 410,000,000 | 650,000 | 650,000 | 42,000 | — | |
| Ethylbenzene | 4,120 | <5.0 | <5.0 | <5.0 | <5.0 | 13,000 | 19,000 | 7,800,000 | 200,000,000 | 20,000,000 | 400,000 | 400,000 | 58,000 | — | |
| Total Xylenes | <500 | 14.1 | <5.0 | <5.0 | <5.0 | 150,000 | 150,000 | 160,000,000 | 1,000,000,000 | 410,000,000 | 320,000 | 320,000 | 5,600 | — | |
| Polyaromatic Hydrocarbons (8270C) | | | | | | | | | | | | | | | |
| Acenaphthene | <30 | <50 | <50 | <50 | <50 | 570,000 | 2,900,000 | 4,700,000 | 120,000,000 | 120,000,000 | — | — | — | 130 | |
| Acenaphthylene | <30 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 70 | |
| Anthracene | <30 | <50 | <50 | <50 | <50 | 12,000,000 | 59,000,000 | 23,000,000 | 610,000,000 | 610,000,000 | — | — | — | 400 | |
| Benz(a)anthracene | 44.8 | <8.7 | <8.7 | <8.7 | <8.7 | 2,000 | 8,000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* | |
| Benz(a)pyrene | 30 | <15 | <15 | <15 | <15 | 8,000 | 82,000 | 90* | 800* | 17,000 | — | — | — | 2,100* | |
| Benz(b)fluoranthene | 34 | <11 | <11 | <11 | <11 | 5,000 | 25,000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* | |
| Benz(k)fluoranthene | 20 | <11 | <11 | <11 | <11 | 49,000 | 250,000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 | |
| Benz(ghi)perylene | <30 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 1,700 | |
| Chrysene | <30 | <50 | <50 | <50 | <50 | 160,000 | 800,000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 2,700 | |
| Dibenz(a,h)anthracene | <20 | <20 | <20 | <20 | <20 | 2,000 | 7,600 | 90* | 800 | 17,000 | — | — | — | 420* | |
| Fluorene | 132 | <50 | <50 | <50 | <50 | 4,300,000 | 21,000,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 4,100 | |
| Indeno(1,2,3-cd)pyrene | <29 | <29 | <29 | <29 | <29 | 560,000 | 2,800,000 | 3,100,000 | 82,000,000 | 82,000,000 | — | — | — | 180 | |
| Naphthalene | <29 | <29 | <29 | <29 | <29 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 1,600* | |
| Phenanthrene | 136 | <25 | <25 | <25 | <25 | 12,000 | 18,000 | 1,600,000 | 41,000,000 | 4,100,000 | 170,000 | 270,000 | 1,800 | 200 | |
| Pyrene | 137 | <50 | <50 | <50 | <50 | — | — | — | — | — | — | — | — | 2,500 | |
| | | | | | | 4,200,000 | 21,000,000 | 2,300,000 | 61,000,000 | 61,000,000 | — | — | — | 3,000 | |

* Pursuant to 35 IAC 742-41-5(b)(2), for those PVA compounds whose background concentrations (within Metropolitan Statistical Areas) exceed the most stringent EPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PVA are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable EPA TACO Tier 1 SROs (or PVA background concentrations) in bold
 Note: Italicized soil samples removed during October 2011 soil remediation activities.

TABLE III
Summary of Soil Analytical Results – May & October 2011 Corrective Action

| Date of Sample Collection: | CS-9 | IEPA TACO Tier 1 Soil Remediation Objectives | | | | | | Metropolitan Statistical Area Background Concentration | | | |
|--|-------|--|------------|------------|-------------|---------------------------|------------------------|--|-------------|---------------------------|------------------------|
| | | Soil Component of the Groundwater Ingestion Exposure Pathway | Class I | Class II | Residential | Industrial/ Commercial | Construction Worker | | Residential | Industrial/ Commercial | Construction Worker |
| Comminants of Concern: | | | | | | | | | | | |
| BTEX Organic Compounds (5035A&360B) | | | | | | | | | | | |
| Benzene | µg/Kg | <5.0 | 3.0 | 1.70 | 12.000 | 100.000 | 2,300.000 | 800 | 1,600 | 2,200 | — |
| Toluene | µg/Kg | <5.0 | 12.000 | 29.000 | 16,000.000 | 410,000.000 | 410,000.000 | 650,000 | 650,000 | 42,000 | — |
| Ethylbenzene | µg/Kg | <5.0 | 13.000 | 19.000 | 7,800.000 | 200,000.000 | 20,000.000 | 400,000 | 400,000 | 58,000 | — |
| Total Xylenes | µg/Kg | <5.0 | 150.000 | 150.000 | 160,000.000 | 1,000,000.000 | 410,000.000 | 320,000 | 320,000 | 5,600 | — |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | | | | | |
| Acenaphthene | µg/Kg | <5.0 | 570.000 | 2,900.000 | 4,700.000 | 120,000.000 | 120,000.000 | — | — | — | 130 |
| Acenaphthylene | µg/Kg | <5.0 | — | — | — | — | — | — | — | — | 70 |
| Anthracene | µg/Kg | <5.0 | 12,000.000 | 59,000.000 | 23,000.000 | 610,000.000 | 610,000.000 | — | — | — | 400 |
| Benz(a)anthracene | µg/Kg | <8.7 | 2.000 | 8.000 | 900* | 8,000 | 170,000 | — | — | — | 1,800* |
| Benz(b)fluoranthene | µg/Kg | <15 | 8.000 | 82.000 | 90* | 800* | 17,000 | — | — | — | 2,100* |
| Benz(k)fluoranthene | µg/Kg | <11 | 5.000 | 25.000 | 900* | 8,000 | 170,000 | — | — | — | 2,100* |
| Benz(g)h)perylene | µg/Kg | <3.0 | 49.000 | 250.000 | 9,000 | 78,000 | 1,700,000 | — | — | — | 1,700 |
| Chrysene | µg/Kg | <3.0 | 160.000 | 800.000 | 88,000 | 780,000 | 17,000,000 | — | — | — | 1,700 |
| Dibenz(a,h)anthracene | µg/Kg | <2.0 | 2.000 | 7.600 | 90* | 800 | 17,000 | — | — | — | 420* |
| Fluoranthene | µg/Kg | <3.0 | 4,300.000 | 21,000.000 | 3,100.000 | 82,000.000 | 82,000.000 | — | — | — | 4,100 |
| Indeno(1,2,3-cd)pyrene | µg/Kg | <2.9 | 560.000 | 2,800.000 | 3,100.000 | 82,000.000 | 82,000.000 | — | — | — | 1,600* |
| Naphthalene | µg/Kg | <25 | 14,000 | 69,000 | 900* | 8,000 | 170,000 | — | — | — | 200 |
| Phenanthrene | µg/Kg | <3.0 | 12.000 | 18.000 | 1,600.000 | 41,000.000 | 4,100.000 | 170,000 | 270,000 | 1,800 | 2,500 |
| Pyrene | µg/Kg | <3.0 | 4,200.000 | 21,000.000 | 2,300.000 | 61,000.000 | 61,000.000 | — | — | — | 3,000 |

* Pursuant to 35 IAC 742.415(b)(2), for those PNA compounds whose background concentrations (within Metropolitan Statistical Area) exceed the most stringent IEPA TACO Tier 1 SROs, the background concentration shall be used as the Tier 1 Soil Ingestion Remediation Objective as promulgated in 35 IAC 742 Appendix A, Table H.
 Note: Analytical testing results for BTEX and PNAs are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the applicable IEPA TACO Tier 1 SROs (or PNA background concentrations) in bold.
 Note: Balcized soil samples removed during October 2011 soil remediation activities.

Table IV
 Summary of Groundwater Analytical Results - September 2010

| Date of Sample Collection: Time of Sample Collection: First Environmental Lab. Numbers: | Most Stringent IEPA TACO Tier 1 GROs | | | | | | |
|---|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------|
| | W-1 | W-3 | W-4 | W-5 | W-6 | W-7 | |
| | 9/9/2010 11:07 AM 10-3713-001 | 9/9/2010 11:21 AM 10-3713-002 | 9/9/2010 11:33 AM 10-3713-003 | 9/9/2010 11:44 AM 10-3713-004 | 9/9/2010 11:56 AM 10-3713-005 | 9/9/2010 12:16 PM 10-3713-006 | |
| Contaminants of Concern: | | | | | | | |
| BTEX Organic Compounds (5030B/8260B) | | | | | | | |
| Date Analyzed: | Units | Rep. Limit | | | | | |
| Benzene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 |
| Toluene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 |
| Ethylbenzene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 |
| Xylene, Total | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 | <5.0 |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | | |
| Date Analyzed: | Units | Rep. Limit | | | | | |
| Acenaphthene | ug/L | 10 | <10 | <10 | <10 | <10 | <10 |
| Acenaphthylene | ug/L | 10 | <10 | <10 | <10 | <10 | <10 |
| Anthracene | ug/L | 5 | <5 | <5 | <5 | <5 | <5 |
| Benzo(a)anthracene | ug/L | 0.13 | <0.13 | 0.13 | 0.19 | <0.13 | <0.13 |
| Benzo(a)pyrene | ug/L | 0.2 | <0.2 | <0.2 | 0.2 | <0.2 | 30 |
| Benzo(b)fluoranthene | ug/L | 0.18 | <0.18 | <0.18 | 0.22 | <0.18 | 44.6 |
| Benzo(k)fluoranthene | ug/L | 0.17 | <0.17 | <0.17 | <0.17 | <0.17 | 29.2 |
| Benzo(ghi)perylene | ug/L | 0.4 | <0.4 | <0.4 | <0.4 | <0.4 | 25.4 |
| Chrysene | ug/L | 1.5 | <1.5 | <1.5 | <1.5 | <1.5 | 31.8 |
| Dibenzo(a,h)anthracene | ug/L | 0.3 | <0.3 | <0.3 | <0.3 | <0.3 | 4.9 |
| Fluoranthene | ug/L | 2 | <2 | <2 | <2 | <2 | 53 |
| Fluorene | ug/L | 2 | <2 | <2 | <2 | <2 | <2 |
| Indeno(1,2,3-cd)pyrene | ug/L | 0.3 | <0.3 | <0.3 | <0.3 | <0.3 | 30.6 |
| Naphthalene | ug/L | 10 | <10 | <10 | <10 | <10 | <10 |
| Phenanthrene | ug/L | 5 | <5 | <5 | <5 | <5 | 12 |
| Pyrene | ug/L | 2 | <2 | <2 | <2 | <2 | 45 |

Note: Analytical testing results for BTEX and PNA are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the most stringent IEPA TACO Tier 1 GRO's in bold.
 Note: Contamination observed in groundwater sample W-6 resulted from surface infiltration from parking lot, not a result of the release incident.

Table IV
Summary of Groundwater Analytical Results - September 2010

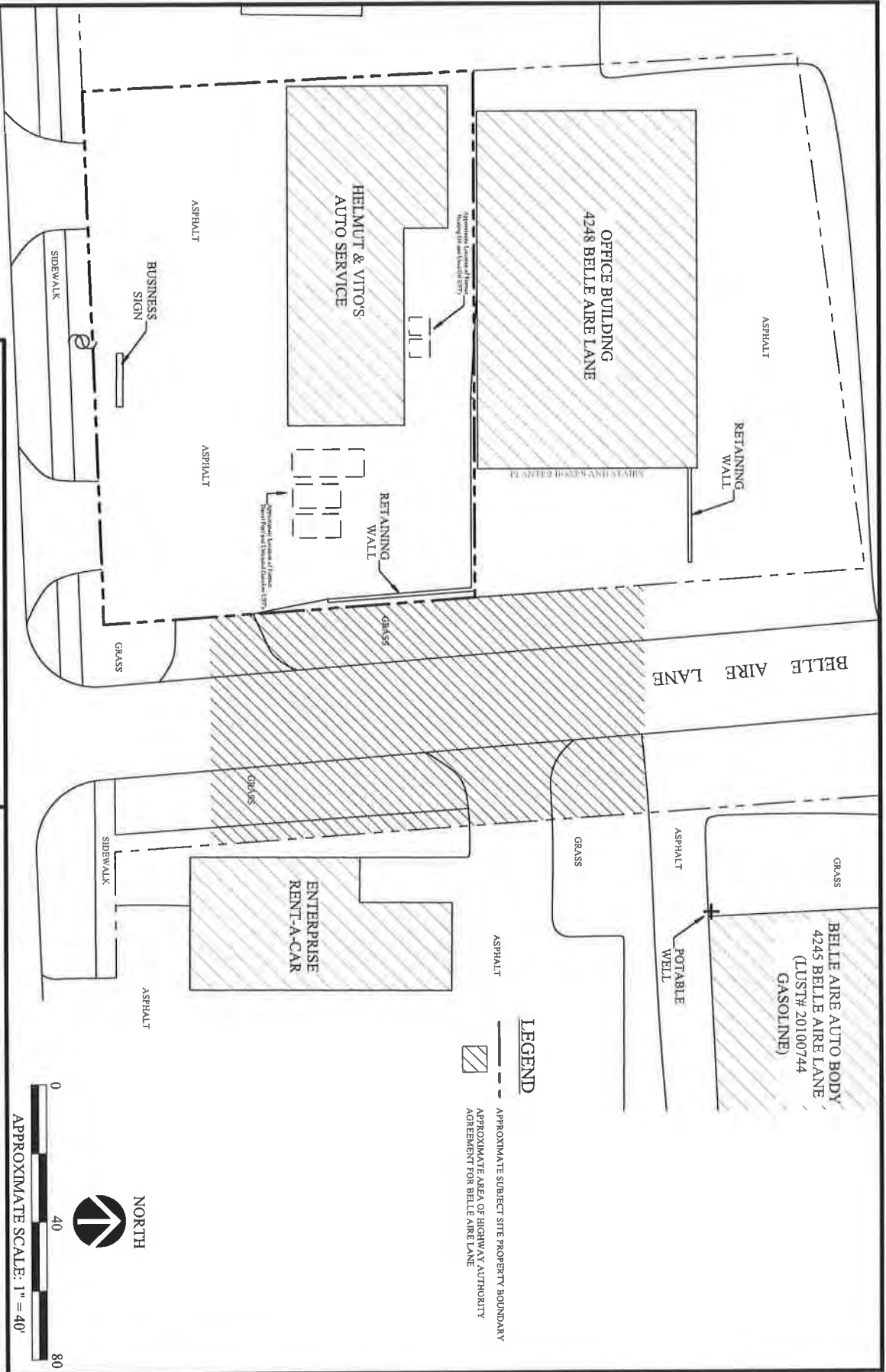
| Date of Sample Collection: Time of Sample Collection: First Environmental Lab. Numbers: | Most Stringent IEPA TACO Tier 1 GROs | MW-4 | MW-5 | MW-7 | Trp Blank | Field Blank |
|---|--|-------------------------------------|-------------------------------------|------------------------------------|--------------------------|-------------------------------------|
| | | 9/9/2010 12:33 PM 10-3713-007 | 9/9/2010 12:50 PM 10-3713-008 | 9/9/2010 1:09 PM 10-3713-009 | 9/15/2010 10-3713-010 | 9/9/2010 10:30 AM 10-3713-011 |
| Contaminants of Concern: | | | | | | |
| BTEX Organic Compounds (S030B/8260B) | | | | | | |
| Date Analyzed: | Units | Rep. Limit | 9/16/2010 | 9/15/2010 | 9/15/2010 | 9/15/2010 |
| Benzene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 |
| Toluene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 |
| Ethylbenzene | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 |
| Xylene, Total | ug/L | 5 | <5.0 | <5.0 | <5.0 | <5.0 |
| Polynuclear Aromatic Hydrocarbons (8270C) | | | | | | |
| Date Analyzed: | Units | Rep. Limit | 9/15/2010 | 9/15/2010 | 9/15/2010 | 9/15/2010 |
| Acenaphthene | ug/L | 10 | <10 | <10 | <10 | --- |
| Acenaphthylene | ug/L | 10 | <10 | <10 | <10 | --- |
| Anthracene | ug/L | 5 | <5 | <5 | <5 | --- |
| Benzo(a)anthracene | ug/L | 0.13 | <0.13 | <0.13 | <0.13 | --- |
| Benzo(a)pyrene | ug/L | 0.2 | <0.2 | <0.2 | <0.2 | --- |
| Benzo(b)fluoranthene | ug/L | 0.18 | <0.18 | <0.18 | <0.18 | --- |
| Benzo(k)fluoranthene | ug/L | 0.17 | <0.17 | <0.17 | <0.17 | --- |
| Benzo(ghi)perylene | ug/L | 0.4 | <0.4 | <0.4 | <0.4 | --- |
| Chrysene | ug/L | 1.5 | <1.5 | <1.5 | <1.5 | --- |
| Dibenzo(a,h)anthracene | ug/L | 0.3 | <0.3 | <0.3 | <0.3 | --- |
| Fluoranthene | ug/L | 2 | <2 | <2 | <2 | --- |
| Fluorene | ug/L | 2 | <2 | <2 | <2 | --- |
| Indeno(1,2,3-cd)pyrene | ug/L | 0.3 | <0.3 | <0.3 | <0.3 | --- |
| Naphthalene | ug/L | 10 | <10 | <10 | <10 | --- |
| Phenanthrene | ug/L | 5 | <5 | <5 | <5 | --- |
| Pyrene | ug/L | 2 | <2 | <2 | <2 | --- |

Note: Analytical testing results for BTEX and PNA are expressed in parts-per-billion (ppb) concentrations.
 Note: Exceedences of the most stringent IEPA TACO Tier 1 GRO's in bold.

EXHIBIT C

VILLAGE OF DOWNERS GROVE
HIGHWAY AUTHORITY AGREEMENT

Helmut & Vito's Service & Parts Property
1430 West Ogden Avenue
Downers Grove, Illinois



NOTE: MAP ADAPTED FROM FIGURE 1 OF THE MAY 2010 "STATUS REPORT" PREPARED BY UNITED SCIENCE INDUSTRIES, INC. LOCATIONS OF SOIL BORINGS AND MONITORING WELLS ARE APPROXIMATE



MARLIN ENVIRONMENTAL, INC.
 3935 COMMERCE DR.
 ST. CHARLES, ILLINOIS 60174
 (630) 444-1933

HIGHWAY AUTHORITY AGREEMENT AREA MAP
 HELMUT & VITOS AUTO SERVICE
 1430 OGDEN AVENUE
 DOWNERS GROVE, ILLINOIS
 EXHIBIT C
 01/2012

OGDEN AVENUE

BELLE AIRE LANE

BELLE AIRE AUTO BODY
 4245 BELLE AIRE LANE
 (LUST# 20100744
 GASOLINE)

OFFICE BUILDING
 4248 BELLE AIRE LANE

HELMUT & VITOS
 AUTO SERVICE

ENTERPRISE
 RENT-A-CAR

BUSINESS
 SIGN

SIDEWALK

GRASS

ASPHALT

ASPHALT

GRASS

GRASS

SIDEWALK

ASPHALT

ASPHALT

GRASS

ASPHALT

POTABLE
 WELL

GRASS

ASPHALT

RETAINING
 WALL



RETAINING
 WALL

GRASS

BASEMENTS AND STAIRS

ASPHALT DRIVEWAY
 SERVING OFFICE BUILDING

LEGEND

-  APPROXIMATE SUBJECT SITE PROPERTY BOUNDARY
-  APPROXIMATE AREA OF HIGHWAY AUTHORITY AGREEMENT FOR BELLE AIRE LANE



**SUPPLEMENTAL AGREEMENT BETWEEN
THE VILLAGE OF DOWNERS GROVE, HELMUT MICHAEL
AND VITOMIR JURASIC AND HELMUT-VITO SERVICE, INC.**

This Agreement ("Agreement") is entered into by and between the VILLAGE OF DOWNERS GROVE, an Illinois municipal corporation ("the Village"), HELMUT MICHAEL and VITOMIR JURASIC (collectively the "Owner"), and HELMUT-VITO SERVICE, INC., an Illinois corporation ("Operator").

WHEREAS, Owner/Operator is pursuing corrective action at a site and in the Right-of-Way adjacent to the site located at 1430 West Ogden Avenue, Downers Grove, Illinois 60515 ("Site"); and

WHEREAS, contemporaneously with the execution of this Agreement, the Village and Owner/Operator have entered into a Highway Authority Agreement ("Highway Authority Agreement") of even date herewith; and

WHEREAS, as a part of the consideration for the Village's execution of the Highway Authority Agreement, the parties have agreed to execute this Agreement setting forth certain additional rights and responsibilities relating to their respective undertakings under the Highway Authority Agreement; and

WHEREAS, under 35 Ill. Admin. Code 742.1020, the use of risk-based, site-specific remediation objectives in the Right-of-Way require the Village and the Owner/Operator to enter into a Highway Authority Agreement, in lieu of active remediation of the contaminant-impacted soil and/or groundwater; and

WHEREAS, the Owner/Operator has requested that the Village enter into such a Highway Authority Agreement intended to meet the requirements of the Illinois Pollution Control Board ("Board") regulations for such Highway Authority Agreements and is intended, under 35 Ill. Admin. Code 742.1020, as an acceptable Highway Authority Agreement; and

WHEREAS, the Village, as a condition of entering into the Highway Authority Agreement, requires certain covenants on the part of the Owner/Operator in exchange for its agreement to execute that form;

NOW, THEREFORE, the parties agree as follows:

1. The above recitals are hereby incorporated into this Agreement as if fully set forth in this paragraph 1.
2. The terms used in this Agreement shall have the meanings given to such terms in the Highway Authority Agreement.
3. This Agreement shall supplement and amend the terms and conditions set forth in the Highway Authority Agreement.
4. This Agreement shall take effect at the same time the Highway Authority Agreement takes effect and shall remain in effect as long as the Highway Authority Agreement

remains in effect. This Agreement shall expire at such time as the Highway Authority Agreement expires; provided, however, that any obligation of any party under this Agreement which is in existence at the time of expiration of this Agreement shall survive the expiration of this Agreement.

5. Both the Highway Authority Agreement and this Agreement shall be recorded by the Owner/Operator at Owner's expense along with the Illinois EPA's "No Further Remediation" determination with the DuPage County Recorder of Deeds. The Owner/Operator will similarly record any attachments, addendums, or alterations to the Highway Authority Agreement. Within thirty (30) days of such recording with the DuPage County Recorder of Deeds, the Owner shall provide the Village a copy of the "No Further Remediation" determination letter with attached Highway Authority Agreement as well as a copy of this Agreement that has been stamped by the DuPage County Recorder of Deeds to indicate that they have been recorded with that office.

6. The Highway Authority Agreement shall be null and void should the Illinois EPA not approve it, or should it not be recorded along with the Illinois EPA's "No Further Remediation" determination, or should the Village not review and approve the "No Further Remediation" determination for the Site as it applies to the Right-of-Way identified in Exhibit C of the Highway Authority Agreement.

7. The Owner/Operator agrees to indemnify and hold harmless the Village, its agents and employees, and other entities using the Right-of-Way by a permit issued by the Village, for all obligations asserted against or costs incurred by them associated with the release of contaminants of concern as described in Exhibit B of the Highway Authority Agreement.

8. Where the pavement in the Right-of-Way is to be considered an engineered barrier, the Owner agrees to reimburse the Village for maintenance activities requested by Owner/Operator. Except for ordinary maintenance performed on Village roadways, the Village does not agree to maintain the Right-of-Way, nor does it guarantee that the Right-of-Way will continue as a roadway or that the Right-of-Way will always be maintained as an engineered barrier.

9. The Highway Authority Agreement does not in any way limit the Village's authority to construct, reconstruct, repair or maintain and operate a Right-of-Way upon the property identified in the Highway Authority Agreement or to allow others to do the same by permit. To that extent, the Village reserves the right to identify, investigate, and remove contaminated soil and/or groundwater above Tier 1 residential remediation objectives from the Right-of-Way identified in the Highway Authority Agreement and to dispose of them as it deems appropriate in accordance with applicable environmental regulations so as to avoid causing a further release of the contaminants and to protect human health and the environment. The Owner shall reimburse the actual costs incurred by the Village or others in so identifying, investigating, removing, storing, handling or disposing of contaminated soil and/or groundwater, and it shall not be a defense for Owner that those costs were not consistent with or required by Board or United States Environmental Protection Agency regulations, guidelines or policies. Prior to incurring any such costs, and unless there is an urgent reason otherwise, the Village shall first give Owner/Operator thirty days notice and an opportunity to remove or dispose of contaminated soil and/or groundwater, at Owner's cost, to the extent necessary for the Village's work. Such removal and disposal shall be in accordance with all applicable laws and regulations. Failure to give this opportunity to

Owner shall not be a defense to a claim for reimbursement or that the work should not have been done. There is a rebuttable presumption that the contamination found in the Right-of-Way described in Exhibit C of the Highway Authority Agreement arose from the release of contaminants at the Site. Should Owner not reimburse the costs identified here, this Agreement shall be null and void in addition to such other remedies as may be available to the Village by law.

10. No violation of a permit by a third party shall constitute a breach of the Highway Authority Agreement or this Agreement by the Village. Owner/Operator also agrees that its personnel, if any, at the Site will exercise due diligence in notifying those accessing contaminated soil in the Right-of-Way of their rights and responsibilities under this Agreement or the Highway Authority Agreement.

11. Should the Village breach this Agreement or the Highway Authority Agreement, Owner/Operator's sole remedy is an action for damages in the Circuit Court of DuPage County, Illinois. Any and all claims for damages against the Village, its agents, contractors, employees or its successors in interest or others under permit from the Village arising at any time for a breach of the Highway Authority Agreement are limited to an aggregate maximum of \$20,000.00. No other breach by the Village, its agents, contractors, employees and its successors in interest or others under permit, of a provision of this Agreement or the Highway Authority Agreement is actionable in either law or equity by Owner/Operator against the Village or them and Owner/Operator hereby releases the Village, its agents, contractors, employees and its successors in interest, or others under permit from the Village for any cause of action it may have against them, other than as allowed in this paragraph, arising under this Agreement or the Highway Authority Agreement or environmental laws, regulations or common law governing the contaminated soil or groundwater in the highway Right-of-Way. Should the Village convey, vacate or transfer jurisdiction of that highway Right-of-Way, Owner/Operator may pursue an action under the Highway Authority Agreement against the successors in interest, other than the Village, or any of its departments, or State Agency, in a Court of Law.

12. This Agreement and the Highway Authority Agreement (including attachments, addendums, and amendments) shall run with the land and shall be binding upon all assigns and successors in interest to the Owner/Operator of the Site.

13. This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of Illinois. The forum for any legal disputes between the Village and the parties shall be DuPage County, Illinois.

14. Any statement or writing to be presented to a Party hereunder shall be so presented by personal delivery or by deposit in the United States mail, with postage properly prepaid, and properly addressed to the offices of the other Party, and shall be deemed presented on date of postmark.

15. If any section, paragraph, clause or provision of this Agreement shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Agreement.

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

VILLAGE OF DOWNERS GROVE

Date: _____

By: _____
David Fieldman, Village Manager

OWNER

Date: 06/27/2014

Helmut Michael
Helmut Michael

OWNER

Date: 06-27-2014

Vitomir Jurasic
Vitomir Jurasic

OPERATOR

Helmut-Vito Service, Inc

Date: 8.12.14

By: ANTHONY SPANOVIC
Its: PRESIDENT & VICE PRESIDENT