

UNOFFICIAL COPY

PREPARED BY:

Name: Buchanan Energy (N), LLC

Address: 10 West Dundee Road
Buffalo Grove, IL 60089



RETURN TO:

Name: Buchanan Energy (N), LLC
Attn: Steve Buchanan

Address: 4973 Dodge Street
Omaha, NE 68132

Doc#: 1328944074 Fee: \$90.00
RHSP Fee:\$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/16/2013 04:00 PM Pg: 1 of 27

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA No.: 0314185017

Leaking UST Incident No.: 981150, 20071593 & 20071598

Buchanan Energy (N), LLC, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 4973 Dodge Street, Omaha, NE 68132, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: See attached.
2. Common Address: 10 West Dundee Road, Buffalo Grove, IL 60089
3. Real Estate Tax Index/Parcel Index Number: 03-04-301-027-0000
4. Site Owner: Buchanan Energy (N), LLC
5. Land Use Limitation: **The land use shall be industrial/commercial. The groundwater under the site shall not be used as a potable water supply.**
6. See the attached No Further Remediation Letter for other terms.

jmd

Attachment: Legal Description

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SITE # 13270

10 W DUNDEE RD., BUFFALO GROVE, IL.

TAX PARCEL NUMBER: 03-04-301-027-0000

THE NORTH 155 FEET OF THE SOUTH 205 FEET OF THE WEST 188.08 FEET OF THE EAST 238.08 FEET OF THE WEST 3/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4; THENCE NORTH ALONG THE EAST LINE OF SAID WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4 FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL TO AND 50.00 FEET NORTH OF THE SOUTH LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4 FOR A DISTANCE OF 50.00 FEET TO A POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE PREVIOUS COURSE, SAID COURSE ALSO BEING THE NORTH LINE OF DUNDEE ROAD, FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE NORTHEAST FOR A DISTANCE OF 21.27 FEET TO A POINT THAT IS 15 FEET NORTH OF THE NORTH LINE OF DUNDEE ROAD; THENCE SOUTH ALONG A LINE PARALLEL TO AND 50.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 4 FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO BEING DESCRIBED AS:

THE NORTH 155 FEET OF THE SOUTH 205 FEET OF THE WEST 188.08 FEET OF THE EAST 238.08 FEET OF THE WEST 3/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; EXCEPTING THEREFROM THAT PART TAKEN FOR ROAD PURPOSES, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4; THENCE NORTH ALONG THE EAST LINE OF SAID WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4 FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL TO AND 50.00 FEET NORTH OF THE SOUTH LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4 FOR A DISTANCE OF 65.00 FEET TO A POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 37 MINUTES 40 SECONDS WEST, A DISTANCE OF 173.08 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, A DISTANCE OF 188.08 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BUFFALO GROVE ROAD; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF

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140.00 FEET; THENCE SOUTH 44 DEGREES 48 MINUTES 50 SECONDS
WEST, A DISTANCE OF 21.27 FEET TO THE POINT OF BEGINNING.

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UNOFFICIAL COPY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/524-3300

CERTIFIED MAIL

SEP 17 2013

7012 0470 0001 2974 3139

Buchanan Energy (N), LLC
Attn: Steve Buchanan
4973 Doge Street
Omaha, NE 68132

Re: LPC #0314185017 -- Cook County #405
Buffalo Grove/Exxon Mobil
10 West Dundee Road.
LUST Incident No. 981150, 20071593 & 20071598 – NFR Letter
LUST Technical File

Dear Mr. Buchanan:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report and Highway Authority Agreement submitted for the above-referenced incident. This information was dated July 10 and August 30, 2013 and was received by the Illinois EPA on July 11 and September 3, 2013, respectively. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and associated Licensed Professional Engineer Certification submitted pursuant to Section 57.7(b)(5) of the Act and 35 Ill. Adm. Code 734.135(d) indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(b) of the Act have been satisfied.

Based upon the certification by Matthew Anderson, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60123 (847) 608-3131
2125 S. First St., Champaign, IL 61820 (217) 278-5800
2009 Mall St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60016 (847) 294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309) 693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-6026

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1. Buchanan Energy (N), LLC, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable county in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, an accurate and official copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

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CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives have been established in accordance with an industrial/commercial land use limitation. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: **The land use shall be industrial/commercial. The groundwater under the site shall not be used as a potable water supply.** It has been demonstrated that the groundwater under the site meets Class II (General Resource) groundwater criteria rather than Class I (Potable Resource) groundwater. Groundwater classifications are defined at 35 Ill. Adm. Code 620.Subpart B.
3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable water supply. No person shall construct, install, maintain, or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.

Engineering: None.

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Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.

Highway Authority Agreement

Illinois Department of Transportation agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soil to remain beneath its highway right-of-way adjacent to the site located at 10 West Dundee Road, Buffalo Grove, IL 60089. Specifically, as shown on the attached map, contamination will remain in the right-of-way for West Dundee Road as indicated in the Highway Authority Agreement #1451. The Highway Authority agrees to: (a) prohibit the use of groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this letter. Questions regarding the Highway Authority Agreement should be directed to:

Illinois Department of Transportation
Region One Engineer
Attn: District One Environmental Studies Unit
201 West Center Court
Schaumburg, IL 60196

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan, if applicable, may result in voidance of this Letter.

OTHER TERMS

6. Any contaminated soil and/or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.

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7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
- a. Any violation of institutional controls or industrial/commercial land use restrictions;
 - b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
 - d. The failure to comply with the recording requirements for the Letter;
 - e. Obtaining the Letter by fraud or misrepresentation; or
 - f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Jason Donnelly, at (217) 557-8764.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

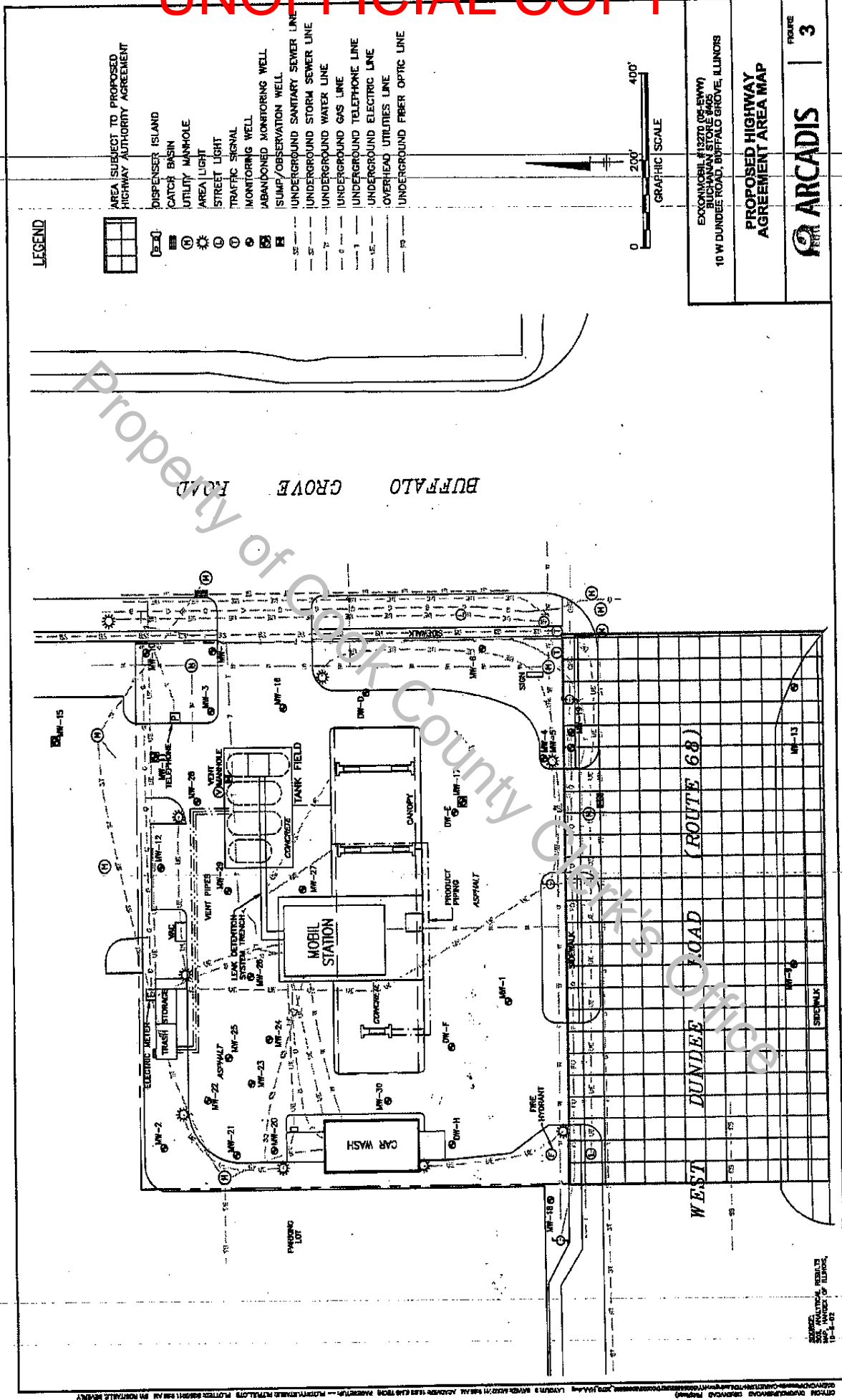
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Attachments: Highway Authority Agreement (HAA) Map (Figure 3)
Leaking Underground Storage Tank Environmental Notice
Legal Description

c: ARCADIS, U.S., Inc., Michelle Rumler
BOL File

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HIGHWAY AUTHORITY AGREEMENT

This Agreement is entered into this 12th day of July, 2013 pursuant to 35 Ill. Adm. Code 742.1020 by and between the **Buchanan Energy N, LLC.**, "Owner/Operator" and Illinois Department of Transportation "Highway Authority," collectively known as the "Parties."

WHEREAS, Buchanan Energy N, LLC., is the owner or operator of one or more leaking underground storage tanks presently or formerly located at *10 West Dundee Road, Buffalo Grove Illinois* ("the Site");

WHEREAS, as a result of one or more releases of contaminants from the above referenced underground storage tanks "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;

WHEREAS, the Owner/Operator 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 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(s) **981150, 20071593, and 20071598** to the Release(s).
3. Attached as Exhibit A is a scaled map(s) prepared by the Owner/Operator that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination above the applicable Tier 1 residential remediation objectives as a result of the Release(s).
4. Attached as Exhibit B is a table(s) 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(s) in Exhibit A.
5. Attached as Exhibit C is a scaled map prepared by the Owner/Operator 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-of-Way 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.

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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 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 Agreement and is signed by the Highway Authority, or subsequent transferor, and the transferee.
11. This agreement shall become effective as a Highway Authority Agreement on the date the Agency issues a no further remediation determination for the Release(s). It shall remain effective as a Highway Authority Agreement 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 term of this agreement. The Parties or transferee shall be notified in writing of any such declaration.
13. This agreement shall be null and void as a Highway Authority Agreement 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

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If to Owner/Operator:

Buchanan Energy N, LLC.
 Attn: Nicole Mallett
 4976 Dodge Street
 Omaha, NE 68132

And to:

ARCADIS U.S., Inc.
 Attn: Michelle Rumler
 10 South Riverside Plaza, Suite 1900
 Chicago, Illinois 60606

If to Department:

Illinois Department of Transportation
 Region One Engineer
 Attn: District One Environmental Studies Unit
 201 West Center Court
 Schaumburg, Illinois 60196

And to:

Illinois Department of Transportation
 Attn: Assistant Chief Counsel
 2300 S. Dirksen Parkway, Room 313
 Springfield, Illinois 62764

16. This Agreement is not binding upon the Department until it is executed by the undersigned representative of the Department. Prior to execution by the undersigned representative of the Department this Agreement constitutes an offer by Owner/Operator. The duly authorized representatives of Owner/Operator have signed this Agreement and this Agreement is binding upon them, their successors and assigns.
17. The IEPA and Illinois Attorney General "AG" must review and approve this Agreement, and this Agreement shall be referenced in the IEPA's "No Further Remediation" determination in the chain of title for the Site in the county where the Site is located. This Agreement shall be null and void as a Highway Authority Agreement should the IEPA or AG not approve it or should it not be referenced in the "No Further Remediation" determination, provided, however, that this Agreement shall be effective between the Owner/Operator and the Department immediately upon signature by their representatives.
18. The Owner/Operator agrees to defend, indemnify and hold harmless the Department, and other highway authorities, if any, maintaining the highway Right-of-Way by an agreement with the Department, and the Department's agents, contractors or employees for all obligations asserted against or costs incurred by them, including reasonable attorney's fees and court costs, associated with the release of Contaminants from the Site, regardless whether said obligations or costs were caused by the negligence, but not the gross negligence, of them.
19. As an additional consideration, Owner/Operator agrees to reimburse the Department for reasonable costs to protect human health and the environment, including, but not limited to, identifying, investigating, handling, storing and disposing of contaminated soil and/or groundwater in the Right-of-Way as a result of the release of contaminants at this Site. It has been determined that the Department has incurred \$2,069.47 (Two Thousand Sixty-Nine Dollars and Forty-Seven Cents) in reimbursable costs at the time this Agreement is executed by the undersigned representative of the Department. If future costs are incurred, a cashier's check made payable to "Treasurer, State of Illinois" shall be tendered to the Department of Transportation upon demand by the Department.
20. Violation of the terms of this Agreement by Owner/Operator, or their successors in interest, may be grounds for avoidance of this Agreement as a Highway Authority Agreement. Violation of the terms of this Agreement by the Department will not void this Agreement, unless the IEPA has determined that the violation is grounds for voiding this Agreement as a Highway Authority Agreement and the Department has not cured the violation within such time as IEPA has granted to cure the violation.

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21. This Agreement is in settlement of claims the Department may have arising from the release of Contaminants into the Right-of-Way associated with IEMA incident number 981150, 20071593 and 20071598.
22. Prior to accessing or granting access to the soil as provided in Paragraph 8 herein, the Department will first give Owner/Operator written notice, unless there is an immediate threat to the health or safety to any individual or to the public, that it intends to perform a site investigation in the Right-of-Way and remove or dispose of contaminated soil or groundwater to the extent necessary for its work. Failure to give notice is not a violation of this Agreement. The removal or disposal shall be based upon the site investigation (which may be modified by field conditions during excavation). A copy of the site investigation report will be provided to Owner/Operator. If practicable, as reasonably determined by the Department, the Department may provide Owner/Operator with an opportunity to perform the site investigation and to remove and dispose of the contaminated soil and/or groundwater necessary for the Department's work in advance of that work.

The Owner/Operator shall reimburse the reasonable costs incurred by the Department to perform the site investigation and to dispose of any contaminated soil or groundwater, provided, however, that if notice to Owner/Operator has not been given and there was no immediate threat to health or safety, reimbursement for those costs shall be limited to \$10,000.00. There is a rebuttable presumption that the Contaminants found in the highway Right-of-Way arose from the release of Contaminants from the Site. Should Owner/Operator not reimburse the reasonable costs under the conditions set forth herein, this Agreement shall be null and void, at the Department's option, upon written notice to Owner/Operator by the Department that those costs have not been reimbursed. Owner/Operator may cure that problem within twenty working days by making payment, or may seek to enjoin that result.

23. The Department's sole responsibility under this Agreement with respect to others using the highway Right-of-Way under permit from the Department is to include the following, or similar language, in the future standard permit provisions and to make an effort to notify its current permit holders of the following:

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 environment during and after any access to such soil.

Owner/Operator hereby releases the Department from liability for breach of this Agreement by others under permit and agrees to defend and indemnify the Department against claims that may arise from others under permit causing a breach of this Agreement. Owner/Operator agrees that its personnel, if any, at the Site who are aware of this Agreement will notify anyone they know is excavating in the Right-of-Way about this Agreement.

24. Should the Department breach this Agreement, Owner/Operator's sole remedy is for an action for damages in the Illinois Court of Claims. Any and all claims for damages against the Department, its agents, contractors, employees or its successors in interest arising at any time for a breach of paragraphs 7 and 8 of this Agreement are limited to an aggregate maximum of \$20,000.00. No other breach by the Department, its agents, contractors, employees and its successors in interest of a provision of this Agreement is actionable in either law or equity by Owner/Operator against the Department or them and Owner/Operator hereby releases the Department, its agents, contractors, employees and its successors in interest for any cause of action it may have against them, other than as allowed in this paragraph, arising under this Agreement or environmental laws, regulations or common law governing the contaminated soil or groundwater in the highway Right-of-Way. Should the Department convey, vacate or transfer jurisdiction of that highway Right-of-Way, Owner/Operator

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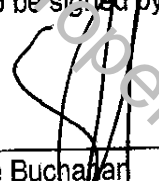
HAA 1451

may pursue an action under this Agreement against the successors in interest, other than a State agency, in a court of law.

25. This Agreement is entered into by the Department in recognition of laws passed by the General Assembly and regulations adopted by the Pollution Control Board which encourage a tiered-approach to remediating environmental contamination. This Agreement is entered into by the Department in the spirit of those laws and under its right and obligations as a highway authority.

Should any provisions of this Agreement be struck down as beyond the authority of the Department, however, this Agreement shall be null and void.

IN WITNESS WHEREOF, Owner/Operator, Buchanan Energy N, LLC, has caused this Agreement to be signed by its duly authorized representative.

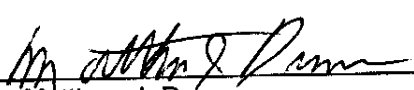
BY:  DATE: 6/21-13
Steve Buchanan
President of Managing Member, Chicago SPE (N), Inc.

IN WITNESS WHEREOF, the Department has caused this Agreement to be signed by its Secretary.

Illinois Department of Transportation

BY:  DATE: 7/12/13
Ann L. Schneider
Secretary

This Agreement is approved on behalf of the Office of the Illinois Attorney General.

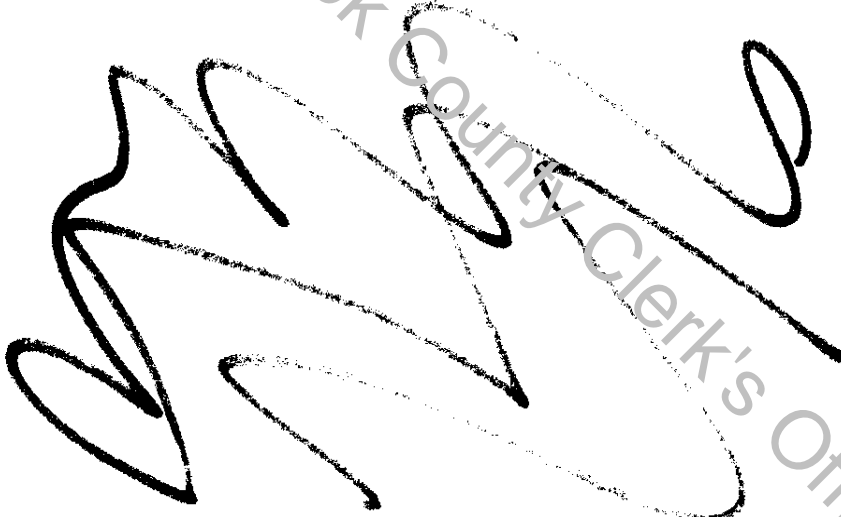
BY:  DATE: 7/18/13
Matthew J. Dunn
Assistant Attorney General
Chief, Division of Environmental/Asbestos Litigation

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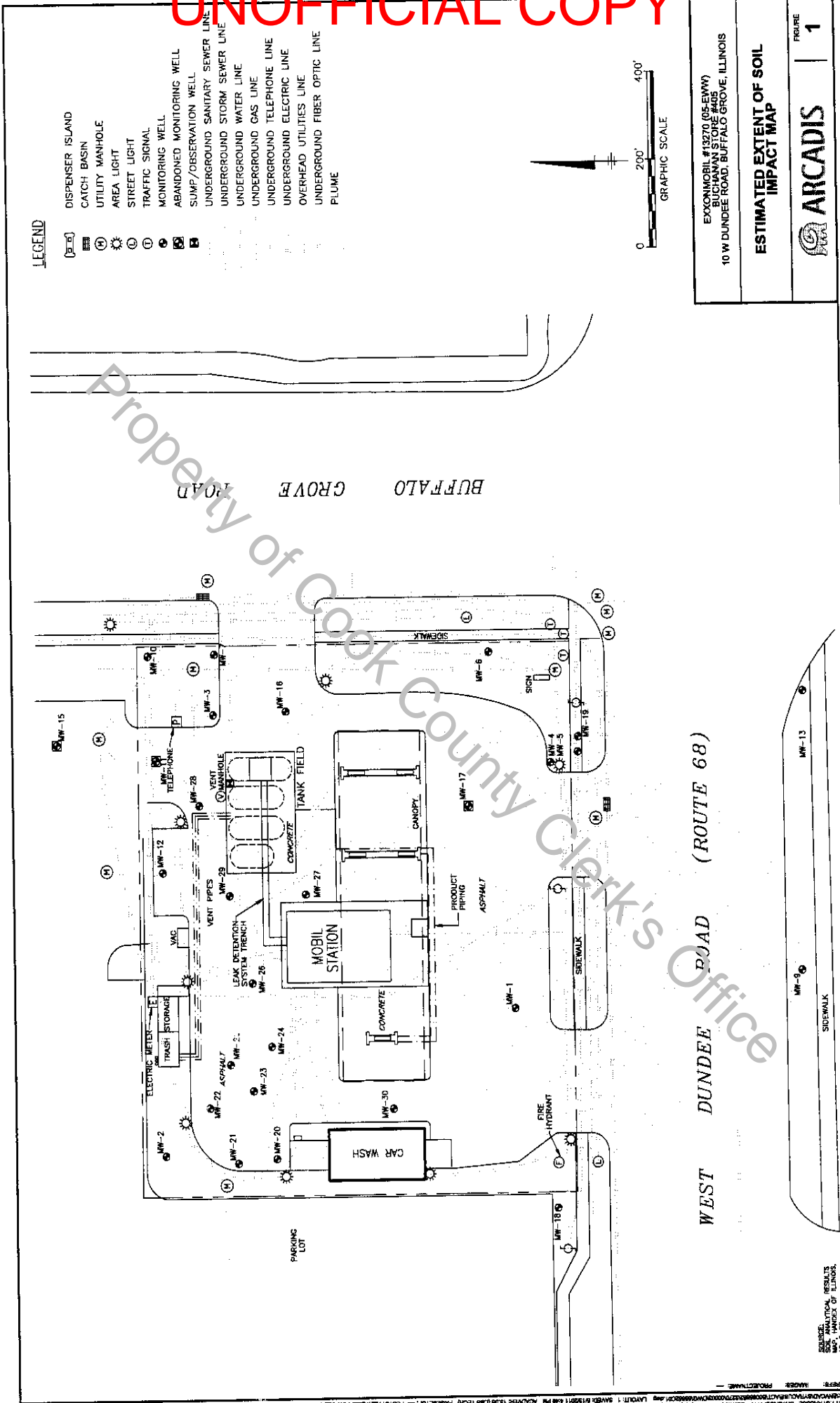
HAA 1451

Exhibit: A

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A large, stylized handwritten signature in black ink is written over the diagonal watermark text. The signature consists of several overlapping loops and sharp turns, making it difficult to decipher.

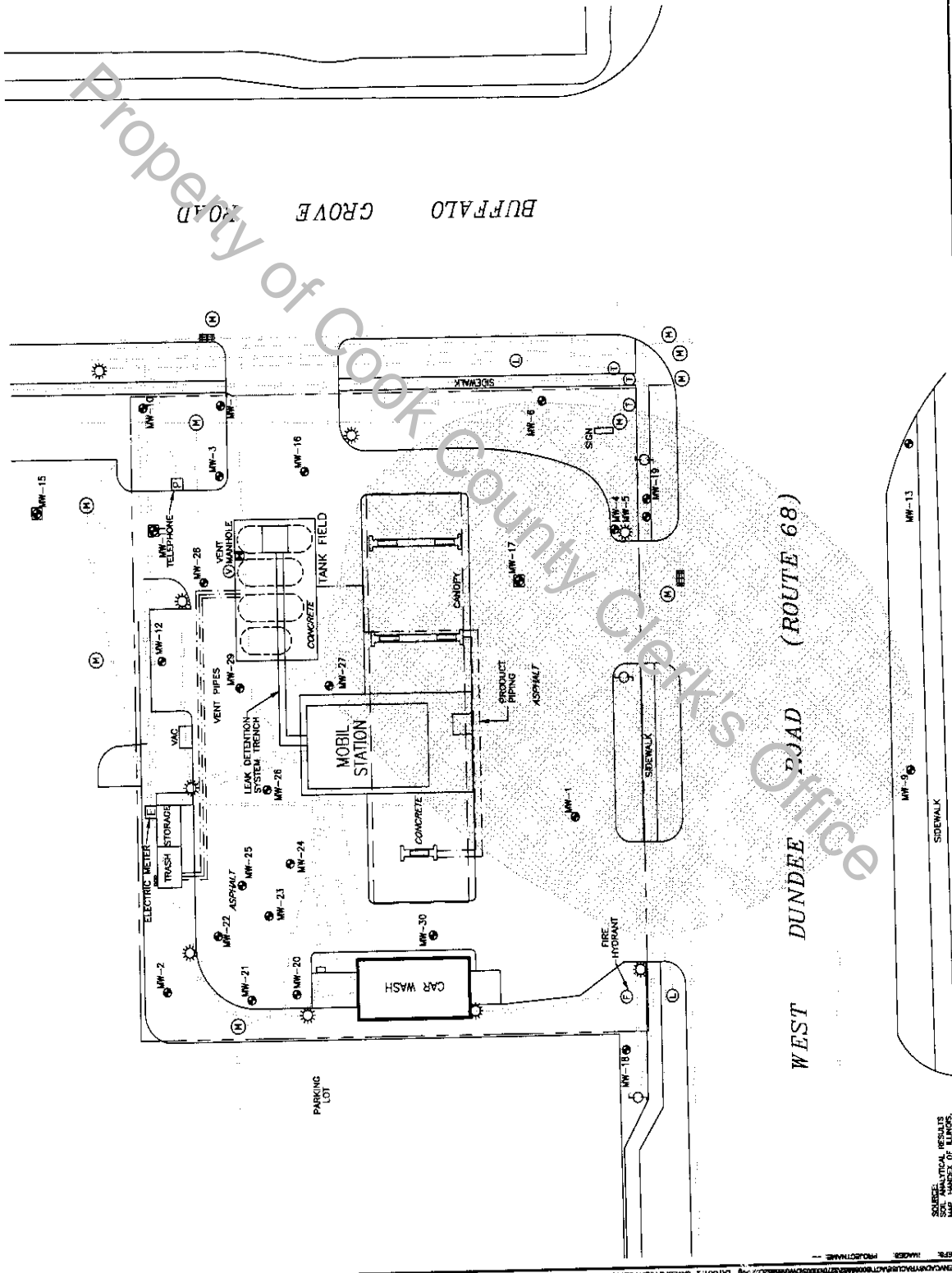
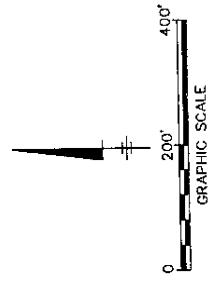
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LEGEND

- DISPENSER ISLAND
- CATCH BASIN
- UTILITY MANHOLE
- AREA LIGHT
- STREET LIGHT
- TRAFFIC SIGNAL
- MONITORING WELL
- ABANDONED MONITORING WELL
- SUMP/OBSERVATION WELL
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND WATER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- OVERHEAD UTILITIES LINE
- UNDERGROUND FIBER OPTIC LINE
- PLUME



EXXONMOBIL #13270 (05.E.W.W.)
 BUCHANAN STORE #05
 10 W DUNDEE ROAD, BUFFALO GROVE, ILLINOIS

**ESTIMATED EXTENT OF
 GROUNDWATER IMPACT MAP**

ARCADIS

FIGURE **2**

DATE: 10-1-02
 SOIL ANALYTICAL RESULTS
 MAP INDEX OF LINDS.

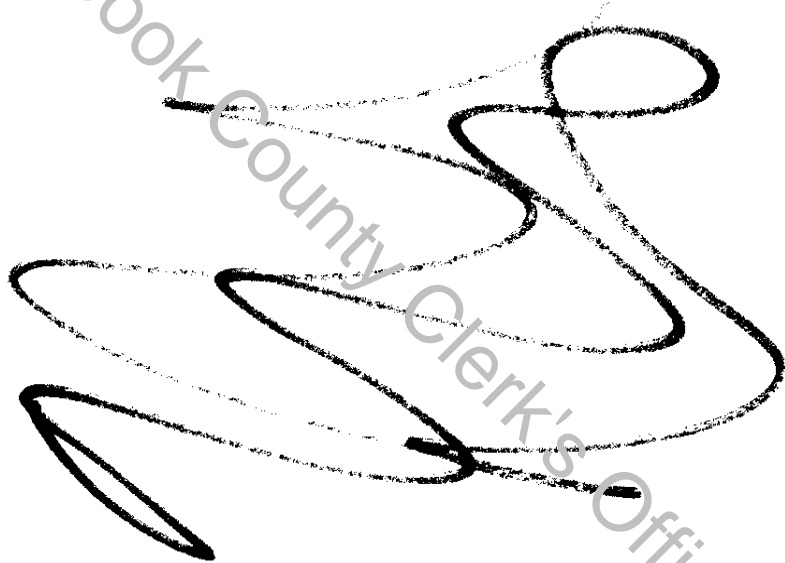
PROJECT NAME: WEST DUNDEE ROAD (ROUTE 68) MOBIL STATION AND CARWASH
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 DATE: 10-1-02
 SCALE: AS SHOWN
 SHEET: 18 OF 27

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HAA 1451

Exhibit: B

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Table 1

SOIL ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)

10 W. Dundee Road
Buffalo Grove, Illinois

Tier 1 Soil Cleanup Objectives			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
Ingestion - Residential			12	16,000	7,800	16,000	780
Inhalation - Residential			0.8	650	400	320	8,800
Inhalation - Commercial			1.6	650	400	320	8,800
Inhalation - Construction Worker			2.2	42	58	5.6	140
Class I Soil Cleanup Objectives			0.03	12	13	150	0.32
Class II Soil Cleanup Objectives			0.17	29	19	150	0.32
Soil Sample Location	Sample Date	Depth (ft)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
SC / SB1	03/17/99	6-8	<0.023	<0.63	0.81	<1.9	NA
	03/17/99	8-12	<0.0054	<0.0054	<0.0054	<0.080	NA
MW2	03/17/99	8-10	<0.0048	<0.0048	<0.0048	<0.014	NA
MW3	03/17/99	8-10	1.5	0.36	6.0	12.0	NA
	03/17/99	12-14	0.0098	<0.005	0.022	0.073	NA
	03/17/99	16-18	2.2	1.0	7.9	23.0	NA
	03/17/99	18-21	<0.0069	<0.0069	0.039	<0.18	NA
MW4	03/17/99	8-12	0.028	<0.0051	<0.0051	<0.015	NA
	03/17/99	12-16	0.048	<0.0051	0.015	0.046	NA
HA1	03/17/99	1-2	<0.0054	<0.0053	0.008	0.02	NA
HA2	03/17/99	1-2	<0.006	<0.006	<0.006	<0.018	NA
HA3	03/17/99	1-2	<0.0052	<0.0052	<0.0052	<0.016	NA
HA4	03/17/99	1-2	<0.0096	<0.0096	<0.0096	<0.029	NA
SB1	07/26/99	8-10	5.2	<0.58	6.2	7.7	NA
	07/26/99	10-12	0.099	<0.0055	<0.0055	0.053	NA
SB1A	07/26/99	5-7	0.036	0.047	0.012	0.03	NA
	07/26/99	7-9	0.093	<0.0082	<0.0087	0.03	NA
MW5 / SB5	08/23/99	8-10	11	0.26	4.2	3.5	NA
	08/23/99	10-12	0.016	0.016	<0.0051	<0.015	NA
MW6 / SB6	08/23/99	8-12	0.012	<0.0051	0.013	<0.067	NA
MW7 / SB7	08/23/99	8-10	<0.0054	<0.0054	<0.0054	<0.016	NA
	08/23/99	14-16	<0.0048	<0.0048	<0.0048	<0.014	NA
SB8	08/23/99	8-10	0.57	0.031	1.2	1.7	NA
	08/23/99	10-12	0.84	0.077	0.067	0.45	NA
	08/23/99	16-18	0.027	0.0057	0.1	<0.18	NA
SB8A	07/17/09	8-10	0.00294	0.00597	0.00581	<0.00592	<0.00257
	07/17/09	10-12	<0.00268	<0.00268	<0.00268	<0.00671	0.00313
MW9 / SB9	08/23/99	6-8	<0.0054	<0.0054	<0.0054	<0.016	NA
	08/23/99	8-10	<0.0056	<0.0056	<0.0056	<0.017	NA
	08/23/99	10-12	<0.0055	0.0062	<0.0055	<0.071	NA
MW10 / SB10	09/22/99	6-8	<0.0047	0.0052	<0.0047	<0.014	NA
	09/22/99	8-10	<0.0059	<0.0059	<0.0059	<0.018	NA
	09/22/99	10-12	<0.0066	<0.0066	<0.0066	<0.02	NA
MW11 / SB11	09/22/99	0-2	0.47	0.13	3.8	8.6	NA
	09/22/99	6-8	<0.006	<0.006	<0.006	<0.018	NA
	09/22/99	8-11	<0.0056	<0.0056	<0.0056	<0.017	NA
SB11A	07/17/09	0-2	0.00544	0.011	0.0161	0.00946	<0.00305

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Table 1

SOIL ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)
10 W. Dundee Road
Buffalo Grove, Illinois

Tier 1 Soil Cleanup Objectives			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
Ingestion - Residential			12	16,000	7,800	16,000	780
Inhalation - Residential			0.8	650	400	320	8,800
Inhalation - Commercial			1.6	650	400	320	8,800
Inhalation - Construction Worker			2.2	42	58	5.6	140
Class I Soil Cleanup Objectives			0.03	12	13	150	0.32
Class II Soil Cleanup Objectives			0.17	29	19	150	0.32
Soil Sample Location	Sample Date	Depth (ft)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
MW12 / SB12	09/22/99	4-6	<0.0057	<0.0057	<0.0057	<0.017	NA
	09/22/99	8-10	<0.0056	<0.0056	<0.0056	<0.017	NA
	09/22/99	10-12	<0.0054	<0.0054	<0.0054	<0.016	NA
MW13 / SB13	09/22/99	4-6	<0.0051	<0.0051	<0.0051	<0.015	NA
	09/22/99	8-10	<0.0053	<0.0053	<0.0053	<0.016	NA
SB14	12/08/99	0-2	0.12	0.63	6.6	20.0	NA
SB14A	07/17/09	0-2	<0.00283	0.00375	<0.00283	<0.00708	<0.00283
MW15 / SB15	12/08/99	0-2	<0.0052	<0.0052	<0.0052	<0.016	NA
MW16	02/14/00	4-5	<0.0048	<0.0048	<0.0048	<0.014	NA
	02/14/00	8-10	<0.0047	<0.0049	<0.0049	<0.015	NA
MW17	02/14/00	5	0.65	0.012	0.0058	<0.013	NA
	02/14/00	7-8	9.0	0.71	5.1	0.78	NA
	02/14/00	9-10	7.3	0.75	1.2	0.39	NA
SB18	09/13/02	4-5	0.199	0.016	0.114	0.129	NA
	09/13/02	10-12	0.005	0.003	0.001	0.002	NA
SB19	09/13/02	4-5	0.041	0.005	<0.001	<0.002	NA
	09/13/02	8-10	0.002	0.003	0.001	0.002	NA
MW18	07/28/04	8	<0.0017	0.0022	<0.0017	<0.0017	<0.009
MW19	07/24/06	1.5	0.00221	0.00246	<0.000933	<0.00280	NA
	07/24/06	9	14.7	0.241	1.14	0.928	NA
Early Action Sampling for LUST Incident #'s 20071593 & 20071598							
MW20	12/10/07	4	0.002	0.004	<0.002	<0.005	<0.002
MW21	12/10/07	4	<0.002	0.003	<0.002	<0.004	<0.002
MW22	12/10/07	2	<0.002	0.005	<0.002	<0.005	<0.002
MW23	12/10/07	4	<0.002	0.003	<0.002	<0.004	<0.002
MW24	12/10/07	4	<0.002	0.003	<0.002	<0.004	<0.002
MW25	12/10/07	4	0.002	0.005	<0.002	<0.005	<0.002
MW26	12/10/07	4	0.002	0.004	<0.002	<0.005	<0.002
MW27	12/11/07	2	1.17	0.13	0.0511	0.124	0.134
MW28	12/11/07	2	0.017	0.00543	0.00142	0.00289	0.012
MW29	12/11/07	2	0.0119	0.00466	0.00158	0.00363	0.0088
MW30	12/11/07	4	0.00491	0.00217	0.00681	0.0419	<0.00842
Phase 2 Environmental Site Assessment Samples							
DB-A	11/12/09	2	0.00182	0.0035	0.00369	<0.00356	<0.00142
DB-B	11/12/09	2	2.97	0.487	8.47	4.38	<0.331 RL1
DB-C	11/12/09	2	0.00196	0.00337	0.00179	<0.00428	<0.00171
DB-D	11/12/09	2.5	17.5	1.22	37.1	27.5	<0.00158
DB-E	11/12/09	2	0.00191	0.00346	0.00297	0.0042	0.00188

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Table 1

SOIL ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)
10 W. Dundee Road
Buffalo Grove, Illinois

Tier 1 Soil Cleanup Objectives			Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
Ingestion - Residential			12	16,000	7,800	16,000	780
Inhalation - Residential			0.8	650	400	320	8,800
Inhalation - Commercial			1.6	650	400	320	8,800
Inhalation - Construction Worker			2.2	42	58	5.6	140
Class I Soil Cleanup Objectives			0.03	12	13	150	0.32
Class II Soil Cleanup Objectives			0.17	29	19	150	0.32
Soil Sample Location	Sample Date	Depth (ft)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)
DB-F	11/12/09	2	0.00202	0.00387	0.00334	0.0048	<0.00187
DB-G	11/12/09	2	<0.0017	0.00363	0.00189	<0.00424	<0.0017
DB-H	11/12/09	4	<0.00181	<0.00181	<0.00181	<0.00452	<0.00181

Bold values indicate concentrations above Title 35 IAC Part 742 Tier 1 Soil Cleanup Objectives and Tier 1 Soil Cleanup Objectives for Class I groundwater off site.

Shaded: A resample was collected

mg/kg = milligrams per kilograms

RL1 = Reporting limit raised due to sample matrix effects

NA = Not Analyzed

Tier 1 Soil Cleanup Objectives per Title 35, Part 742 - Tiered Approach to Corrective Action Objectives (February 5, 2002).

Samples were analyzed for BTEX and/or BTEX/MTBE using USEPA Method 5035/8021B

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Table 2

GROUNDWATER ELEVATIONS AND ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)
10 W. Dundee Road
Buffalo Grove, IL

Tier I Groundwater Cleanup Objectives					Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
Class I Groundwater Cleanup Objective					0.005	1.0	0.7	10	0.07
Class II Groundwater Cleanup Objective					0.025	2.5	1.0	10	0.07
Sample Location	Sample Date	TOC Elevation	Depth to Water	Groundwater Elevation	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
MW1	6/22/99	101.20	6.98	94.22	1.60	1.7	0.45	1.7	NS
	3/26/00	101.20	5.35	95.85	NS	NS	NS	NS	NS
	3/28/01	101.20	8.32	92.88	3.00	1.6	0.84	2.9	NS
	10/10/05	101.20	4.55	96.65	1.29	0.0743	0.311	0.471	NS
	12/13/07	101.20	2.97	98.23	1.04	0.0321	0.253	0.284	0.0563
	1/6/10	101.20	4.01	97.19	0.898	0.0172	0.217	0.123	<0.001
MW2	6/22/99	100.00	2.91	97.09	<0.001	<0.001	<0.001	<0.003	NS
	3/26/00	100.00	3.29	96.71	NS	NS	NS	NS	NS
	3/28/01	100.00	1.56	98.44	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	100.00	1.19	98.90	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	100.00	1.66	98.34	<0.001	<0.001	<0.001	<0.003	<0.001
MW3	6/22/99	99.06	2.68	96.38	0.34	0.011	0.15	0.42	NS
	3/16/00	99.06	2.01	97.05	NS	NS	NS	NS	NS
	3/28/01	99.06	2.01	97.05	0.032	<0.001	0.025	0.0077	NS
	10/10/05	99.06	2.72	96.34	0.071	<0.001	0.0102	0.002	NS
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	99.06	2.10	96.96	<0.001	<0.001	<0.001	<0.003	0.00595
MW4	6/22/99	101.67	4.47	97.20	0.013	<0.001	<0.001	<0.003	NS
	3/16/00	101.67	5.57	96.10	NS	NS	NS	NS	NS
	3/28/01	101.67	5.18	96.49	0.0052	<0.001	<0.001	<0.003	NS
	10/10/05	101.67	5.08	96.59	0.034	<0.001	0.00607	0.00493	NS
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	101.67	5.36	96.31	0.00291	<0.001	0.00106	<0.003	<0.001
MW5	8/31/99	100.95	NG	NG	9.30	9	1.3	5.0	NS
	3/28/01	100.95	2.02	98.93	7.30	1.8	0.67	2.6	NS
	10/10/05	100.95	1.55	99.40	1.95	0.0507	0.359	0.939	NS
	12/13/07	MONITORING WELL COULD NOT BE OPENED DURING SAMPLING EVENT							
	1/6/10	100.95	4.79	96.16	2.1	0.014	0.321	0.353	<0.001
MW6	8/31/99	100.82	NG	NG	<0.001	<0.001	<0.001	<0.003	NS
	3/16/00	100.82	4.82	96.00	NS	NS	NS	NS	NS
	3/28/01	100.82	4.11	96.71	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	100.82	4.73	96.09	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	100.82	6.27	94.55	<0.001	<0.001	<0.001	<0.003	0.00161
	1/6/10	100.82	4.89	95.93	<0.001	<0.001	<0.001	<0.003	<0.001
MW7	8/31/99	98.88	NG	NG	<0.001	<0.001	<0.001	<0.003	NS
	3/28/01	98.88	2.24	96.64	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	98.88	2.15	96.73	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	98.88	1.63	97.25	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	98.88	2.25	96.63	<0.001	<0.001	<0.001	<0.003	<0.001
MW9	8/31/99	102.37	NG	NG	<0.001	<0.001	<0.001	<0.003	NS
	3/16/00	102.37	3.98	98.39	NS	NS	NS	NS	NS
	3/28/01	102.37	2.92	99.45	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	102.37	3.97	98.40	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
1/6/10	102.37	3.53	98.84	<0.001	<0.001	<0.001	<0.003	<0.001	

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Table 2

GROUNDWATER ELEVATIONS AND ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)
10 W. Dundee Road
Buffalo Grove, IL

Tier I Groundwater Cleanup Objectives					Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
Class I Groundwater Cleanup Objective					0.005	1.0	0.7	10	0.07
Class II Groundwater Cleanup Objective					0.025	2.5	1.0	10	0.07
Sample Location	Sample Date	TOC Elevation	Depth to Water	Groundwater Elevation	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
MW10	10/12/99	100.91	4.12	96.79	<0.001	<0.001	<0.001	<0.003	NS
	3/28/01	100.91	2.40	98.51	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	100.91	2.62	98.29	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	100.91	1.87	99.04	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	100.91	2.44	98.47	<0.001	<0.001	<0.001	<0.003	<0.001
MW11	10/12/99	NA	NG	NG	0.19	0.009	0.11	0.24	NS
	3/16/00	MONITORING WELL HAS BEEN DESTROYED							
MW12	10/12/99	100.89	1.88	99.01	<0.001	<0.001	0.001	<0.003	NS
	3/16/00	100.89	2.13	98.76	NS	NS	NS	NS	NS
	3/28/01	100.89	1.50	99.30	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	100.89	1.60	99.29	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	100.89	1.28	99.61	<0.001	<0.001	<0.001	<0.003	0.00276
	1/6/10	100.89	2.37	98.52	<0.001	<0.001	<0.001	<0.003	0.00755
MW13	10/12/99	102.16	2.86	99.30	<0.001	<0.001	<0.001	<0.003	NS
	3/16/00	102.16	3.14	99.02	NS	NS	NS	NS	NS
	3/28/01	102.16	2.50	99.66	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	102.16	2.85	99.31	<0.001	<0.001	<0.001	<0.001	NS
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
MW15	2/22/00	98.56	1.11	97.45	<0.001	<0.001	<0.001	<0.003	NS
	3/16/00	98.56	0.80	97.76	NS	NS	NS	NS	NS
	3/28/01	98.56	0.75	97.81	<0.001	<0.001	<0.001	<0.003	NS
	10/10/05	MONITORING WELL COULD NOT BE LOCATED							
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
MW16	2/22/00	99.60	1.39	98.21	0.0015	0.0026	<0.001	0.013	NS
	3/16/00	99.60	2.76	96.84	NS	NS	NS	NS	NS
	3/28/01	99.60	1.68	97.92	<0.001	<0.001	<0.001	0.0046	NS
	10/10/05	MONITORING WELL COULD NOT BE OPENED DURING SAMPLING EVENT							
	12/13/07	MONITORING WELL COULD NOT BE OPENED DURING SAMPLING EVENT							
	1/6/10	99.60	2.13	97.47	<0.05 RL1	<0.05 RL1	<0.05 RL1	<0.15 RL1	<0.05 RL1
MW17	2/22/00	100.90	NG	NG	0.12	0.14	0.031	0.098	NS
	3/16/00	100.90	1.82	99.08	NS	NS	NS	NS	NS
	10/10/05	MONITORING WELL COULD NOT BE LOCATED							
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
SB18	9/13/02	NA	NG	NG	0.204	0.0325	0.176	0.51	NS
SB19	9/13/02	NA	NG	NG	<0.001	<0.001	<0.001	<0.001	NS
MW18	10/10/05	NA	NG	NG	<0.001	<0.001	<0.001	<0.001	<0.001
	12/13/07	99.94	6.41	93.53	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	99.94	5.32	94.62	<0.001	<0.001	<0.001	<0.003	<0.001
MW19	MONITORING WELL WAS INSTALLED TO VERIFY SOIL SAMPLE MW5 WAS COLLECTED FROM ABOVE THE GROUNDWATER TABLE								
	12/13/07	MONITORING WELL COULD NOT BE LOCATED DUE TO SNOW							
	1/6/10	NM	4.83	NM	0.68	0.00713	0.138	0.188	<0.001
MW20	12/13/07	100.39	4.93	95.46	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	100.39	2.54	97.85	<0.001	<0.001	<0.001	<0.003	<0.001

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Table 2

GROUNDWATER ELEVATIONS AND ANALYTICAL RESULTS - BTEX/MTBE

ExxonMobil #13270 (05-EWW)
10 W. Dundee Road
Buffalo Grove, IL

Tier 1 Groundwater Cleanup Objectives					Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
Class I Groundwater Cleanup Objective					0.005	1.0	0.7	10	0.07
Class II Groundwater Cleanup Objective					0.025	2.5	1.0	10	0.07
Sample Location	Sample Date	TOC Elevation	Depth to Water	Groundwater Elevation	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)	MTBE (mg/L)
MW21	12/13/07	100.53	4.73	95.80	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	100.53	4.83	95.70	<0.001	<0.001	<0.001	<0.003	<0.001
MW22	12/13/07	100.37	1.32	99.05	0.00312	0.00736	<0.001	0.00412	<0.001
	1/6/10	100.37	2.48	97.89	<0.001	<0.001	<0.001	<0.003	<0.001
MW23	12/13/07	100.69	4.79	95.90	0.00144	<0.001	0.00478	0.0137	0.0085
	1/6/10	100.69	4.69	96.00	0.00136	<0.001	<0.001	<0.003	0.00194
MW24	12/13/07	100.67	5.29	95.38	<0.001	<0.001	<0.001	<0.003	0.0248
	1/6/10	100.67	4.55	96.12	<0.001	<0.001	<0.001	<0.003	0.00728
MW25	12/13/07	101.27	4.03	97.24	<0.001	<0.001	<0.001	<0.003	0.0181
	1/6/10	101.27	4.14	97.13	<0.001	<0.001	<0.001	<0.003	0.00359
MW26	1/6/10	100.99	4.18	96.81	<0.001	<0.001	<0.001	<0.003	0.00622
MW27	12/13/07	100.79	4.40	96.39	0.0149	0.001	0.0118	0.00729	0.0339
	1/6/10	100.79	3.42	97.27	0.00626	<0.001	<0.001	<0.003	0.0132
MW28	12/13/07	101.41	0.00	101.41	<0.001	<0.001	<0.001	<0.003	<0.001
	1/6/10	101.41	0.65	100.76	0.0222	0.00494	0.00264	<0.003	0.00598 ID2
MW29	12/13/07	101.58	3.64	97.94	<0.001	<0.001	<0.001	<0.003	0.0446
	1/6/10	100.59	3.85	96.74	<0.001	<0.001	<0.001	<0.003	0.00603
MW30	12/13/07	100.59	9.99	90.60	<0.001	<0.001	<0.001	<0.003	0.0499
	1/6/10	100.59	4.68	95.91	<0.001	<0.001	<0.001	<0.003	<0.001
DW-D	1/6/10	99.62	3.75	95.87	<0.001	<0.001	<0.001	<0.003	0.00319 ID2
DW-E	1/6/10	100.05	1.89	98.16	1.25	0.343	0.153	0.451	0.00214
DW-F	1/6/10	100.32	4.17	96.15	<0.001	<0.001	<0.001	<0.003	<0.001
DW-H	1/6/10	100.47	6.95	93.52	<0.001	<0.001	<0.001	<0.003	<0.001

NS = not sampled

NG= not gauged

NA = not available

ID2 = Secondary ion abundances were outside method requirements. Identification based on analytical judgement.

RL1 = Reporting limit raised due to sample matrix effects.

Bold indicates a concentration above the 35 IAC Part 742 Tier 1 groundwater remediation objectives for Class II groundwater for on-site monitoring wells and Class I groundwater for off-site monitoring wells

<0.001 = concentration below analytical laboratory reporting limit

Samples were analyzed for BTEX and/or BTEX/MTBE using USEPA Method 8020A and 8021B

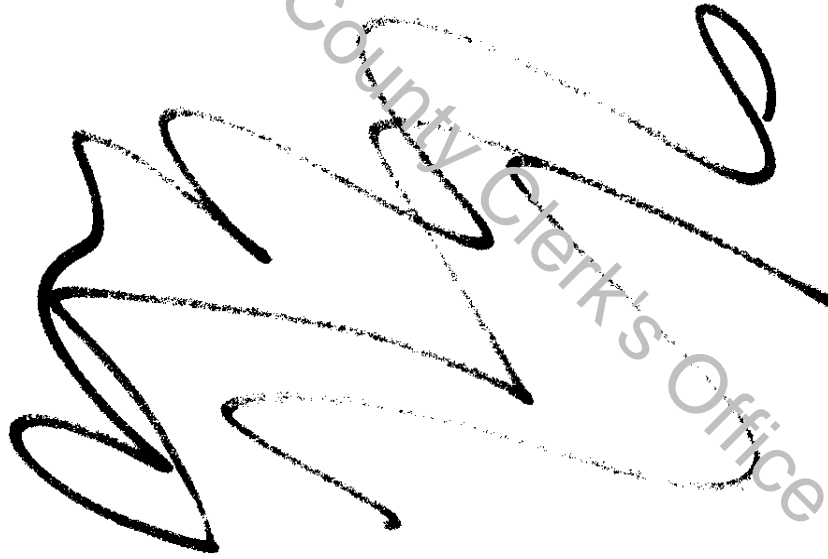
Groundwater elevations are relative to a site-specific datum of 100 feet

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HAA 1451

Exhibit: C

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A large, stylized handwritten signature in black ink is written across the page, overlapping the diagonal watermark text.

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LEGEND



AREA SUBJECT TO PROPOSED HIGHWAY AUTHORITY AGREEMENT

DISPENSER ISLAND

CATCH BASIN

UTILITY MANHOLE

AREA LIGHT

STREET LIGHT

TRAFFIC SIGNAL

MONITORING WELL

ABANDONED MONITORING WELL

SUMP/OBSERVATION WELL

UNDERGROUND SANITARY SEWER LINE

UNDERGROUND STORM SEWER LINE

UNDERGROUND WATER LINE

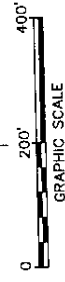
UNDERGROUND GAS LINE

UNDERGROUND TELEPHONE LINE

UNDERGROUND ELECTRIC LINE

OVERHEAD UTILITIES LINE

UNDERGROUND FIBER OPTIC LINE

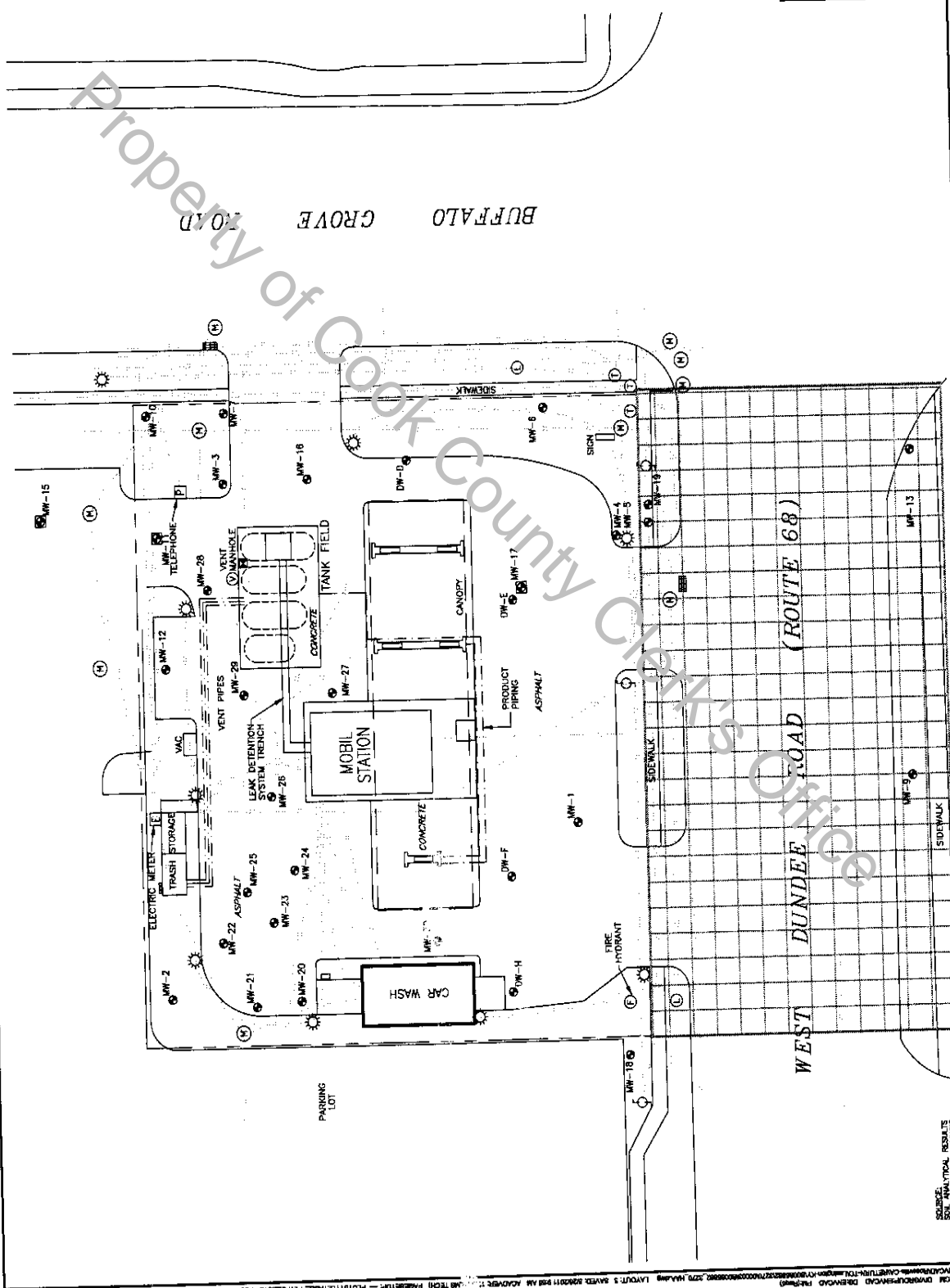


EXXONMOBIL #13270 (05-EVW)
BUCHANAN STORE #305
10 W DUNDEE ROAD, BUFFALO GROVE, ILLINOIS

PROPOSED HIGHWAY AGREEMENT AREA MAP

ARCADIS

FIGURE **3**



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CITIZEN ENGINEERING DESIGN PARTNERSHIP 1000 N. LAKEVIEW AVENUE, SUITE 200, CHICAGO, ILLINOIS 60611-1000
SOURCE: AERIAL, RESURVEY, GROUND, MANHOLE & LUNDS, 10-1-2012