



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY **RECEIVED**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/782-5544
TDD 217/782-9143

October 22, 2008

Shell Oil Products U.S.
Mr. Kevin Dyer
17 Junction Drive
PMB #399
Glen Carbon, IL 62034

URS CORPORATION

NOV 13 2008

RECEIVED

70042510000186192262
CERTIFIED MAIL #70042510000186192279
RETURN RECEIPT REQUESTED

Shell Oil Products U.S.
208 S. LaSalle St.
Chicago, IL 60604

Re: **Notice Of Intent To Pursue Legal Action**
Violation Notice, L-2008-01134
LPC#1191150002 - Madison County
Shell Oil Products U.S.
Compliance File

Dear Mr. Dyer:

This Notice of Intent to Pursue Legal Action is provided pursuant to Section 31(b) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(b) (2002). The Illinois Environmental Protection Agency ("Illinois EPA") is providing this notice because:

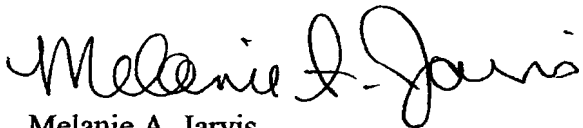
Shell Oil Products U.S. has failed to adequately respond to a Violation Notice dated May 2, 2008 and issued by the Illinois EPA within the time frame required by Section 31 of the Act.

The Illinois EPA is providing this notice because it may pursue legal action for the violation(s) of environmental statutes, regulations or permits specified in the above referenced Violation Notice and in Attachment A. This Notice provides you the opportunity to schedule a meeting with representatives of the Illinois EPA to attempt to resolve the violations of the Act, regulations and permits specified in Attachment A. If a meeting is requested, it must be held within thirty (30) days of receipt of this notice unless the Illinois EPA agrees to an extension of time.

Please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

If you wish to schedule a meeting with representatives of the Illinois EPA or have any questions, please contact me at 217-782-5544 within 20 days of your receipt of this notice.

Sincerely,

A handwritten signature in black ink that reads "Melanie A. Jarvis". The signature is written in a cursive style with a large initial "M".

Melanie A. Jarvis
Assistant Counsel

cc: Brian White
Chris Cahnovsky – BOL Collinsville
Meredith Kelley
BOL – Division File

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Subpart F

ATTACHMENT A

1. Pursuant to Section 12(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(a)), no person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

A violation of Section 12(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(a)) is alleged for the following reason: **Causing or threatening or allowing the discharge of any contaminants into the environment so as to cause or tend to cause water pollution.**

Shell Oil Products U.S. is in apparent violation of Section 12(a) of the [Illinois] Environmental Protection Act because they are not in compliance with the applicable groundwater standards contained in 35 IAC 620 Groundwater Quality Standards. The analytical results for samples collected through dates March 1st and April 12th, 2007, indicate that the 35 IAC Part 620 Class I Standards were exceeded 41 times.

2. Pursuant to Section 12(d) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(d)), no person shall deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

A violation of Section 12(d) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(d)) is alleged for the following reason: **Causing or threatening or allowing the discharge of any contaminants into the environment so as to cause or tend to cause water pollution. See paragraph 1.**

3. Pursuant to 35 Ill. Adm. Code 620.115, no person shall cause, threaten or allow a Violation of the Act, the IGPA or regulations adopted by the Board thereunder, including but not limited to this Part.

A violation of 35 Ill. Adm. Code 620.115 is alleged for the following reasons: **Shell Oil Products U.S. is in apparent violation of 35 Ill. Adm. Code 620.115 because the facility is not in compliance with 35 Illinois Administrative Code Part 620 and the Illinois Environmental Protection Act.**

4. Pursuant to 35 Ill. Adm. Code 620.301(a), no person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that:

- 1) Treatment or additional treatment is necessary to continue an existing use or to

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assure a potential use of such groundwater; or

- 2) An existing or potential use of such groundwater is precluded:

A violation of 35 Ill. Adm. Code 620.301(a) is alleged for the following reason: See Paragraph 1.

5. Pursuant to 35 Ill. Adm. Code 620.405, no person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard set forth in this Subpart to be exceeded.

A violation of 35 Ill. Adm. Code 620.405 is alleged for the following reason: **Shell Oil Products U.S. is in apparent violation of 35 Ill. Adm. Code 620.405 because the facility has violated the groundwater quality standards in 35 Illinois Administrative Code 620, Subpart D.**

6. Pursuant to 35 Ill. Adm. Code 620.410(b), except due to natural causes or as provided in 620.450 or subsection (c), concentrations of the following organic chemical constituents shall not be exceeded in Class I groundwater:

Constituent	Standard (ug/L)
Benzene	5.0
Ethylbenzene	700.0
Methyl Tertiary-Butyl Ether	70.0
Toluene	1000.0
Xylenes	10000.0

A violation of 35 Ill. Adm. Code 620.410(b) is alleged for the following reason: **Shell Oil Products U.S. is in apparent violation of 35 Ill Adm. Code 620.410(b) because they the analytical results for samples collected through dates March 1st and April 12th, 2007, indicate that the organic chemical standards listed above were exceeded 41 times.**