UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:	)	ADMINISTRATIVE ORDER ON CONSENT
Wedron Ground Water Contamination Site Wedron, Illinois	)	
Wedron Silica Company; Technisand, Inc.; and Lockheed Martin Corporation	)	EPA Docket No. **RCRA-05-2013-0011**
RESPONDENTS	)	Proceeding under Section 3013(a) of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. § 6934(a)

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U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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I. JURISDICTION

1. This Consent Order is issued pursuant to the authority vested in the Administrator of the Environmental Protection Agency (EPA or Agency) by Section 3013(a) of the Resource Conservation and Recovery Act, (RCRA), as amended, 42 U.S.C. § 6934(a). The authority to enter into this Consent Order has been duly delegated to the Regional Administrator, and further delegated to the Director, Land and Chemicals Division, EPA Region 5.

2. This Consent Order concerns the preparation and performance of monitoring, testing, analysis and reporting relating to property owned and/or operated by Wedron Silica Company and Technisand, Inc. (and formerly owned and/or operated by Martin Marietta Corporation) (the Site) at the Wedron Ground Water Contamination Site located in Wedron, LaSalle County, Illinois (the Wedron Site).

3. This Consent Order is issued to Wedron Silica Company; Technisand, Inc.; and Lockheed Martin Corporation, successor in interest to Martin Marietta Corporation (Respondents). For purposes of the work to be performed as set forth in this Consent Order, Respondents consent to and agree not to contest EPA's authority to issue this Consent Order and to enforce its terms. Further, Respondents will not contest EPA's authority to: compel compliance with this Consent Order in any subsequent enforcement proceedings; require Respondents' full or interim compliance with the terms of this Consent Order; or impose sanctions for violations of this Consent Order; provided, however, that Respondents retain any and all rights they may have to dispute the merits of any such claims.

4. Respondents' participation in this Consent Order shall not constitute or be construed as an admission of liability. Respondents do not admit, and retain the right to controvert, the factual allegations and legal conclusions set forth in this Consent Order (Section IV., Findings of Fact, and Section V., Determinations and Conclusions of Law).

5. This Consent Order is based upon the administrative record compiled by EPA and incorporated herein by reference. The record is available for review by the Respondents and the public at EPA's Regional Office at 77 W. Jackson Blvd. Chicago, IL 60604.

II. PARTIES BOUND

6. The provisions of this Consent Order shall apply to and be binding upon Respondents and their successors and assigns, and to Respondents' officers, directors, employees, agents and contractors acting in their official capacity as representatives of Respondents.

7. Respondents are jointly and severally responsible for carrying out all activities required by this Consent Order. In the event of the insolvency or other failure of any one or more Respondents to implement the requirements of this Order, the remaining Respondents shall complete all such requirements.

8. No change in ownership, corporate, or partnership status relating to property owned or operated by Respondents at the Site will in any way alter the status or responsibility of Respondents under this Consent Order. Any conveyance by Respondents of title, easement, or other interest in property owned or operated by Respondents at the Site, or a portion of such interest, shall not affect Respondents' obligations under this Consent Order. Respondents shall be responsible and liable for any failure to carry out all activities required of Respondents by this Consent Order, irrespective of its use of employees, agents, contractors, or consultants to perform any such tasks.

9. Respondents shall provide a copy of this Consent Order to all contractors, subcontractors, laboratories, and consultants retained to conduct or monitor any portion of the work performed pursuant to this Consent Order within seven (7) calendar days of the effective date of this Consent Order, or on the date of such retention, and Respondents shall condition all such contracts on compliance with the terms of this Consent Order.

10. Any documents transferring ownership and/or operations of property owned or operated by Respondents at the Site to a successor-in-interest shall include written notice of this Consent Order. In addition, Respondents shall, no less than thirty (30) days prior to transfer of ownership or operation of property owned or operated by Respondents at the Site, provide written notice of this Consent Order to such successor-in-interest, and written notice of said transfer of ownership and/or operation to EPA.

III. STATEMENT OF PURPOSE

11. In entering into this Consent Order, the mutual objectives of EPA and Respondents are the protection of human health and the environment through Respondents' implementation of sampling, analysis, monitoring and reporting at property currently or historically owned or operated by Respondents at the Site. In meeting these objectives, Respondents shall prepare and submit for approval to EPA a sampling and analysis workplan (the Workplan) to perform monitoring, testing, analysis, and reporting at the Site in order to ascertain the nature and extent of the presence and/or release of hazardous wastes and/or hazardous constituents at the Site.

IV. FINDINGS OF FACT

12. The Site is in the unincorporated community of Wedron located in LaSalle County, Illinois.

13. Wedron Silica Company (Wedron Silica) currently owns and operates a sand mining facility and related maintenance, storage, and administrative property and previously operated a small laboratory at the Technical Center at the Site.

14. Wedron Silica operations include sand mining pits and ancillary operations where sand is mined, processed, and loaded for shipment by rail and truck.

15. Technisand, Inc. (Technisand) currently owns and operates a resin coating facility at the Site.

16. Technisand operations include a coating facility and loading facilities for shipment by rail and truck.

17. The mining business at the Site operates sand mining pits, which are pumped for water that is used in the mining process.

18. Martin Marietta Corporation (Martin Marietta) owned and operated the sand mining business and related property from 1979 to 1984. Martin Marietta sold the sand mining business to Wedron Silica Company in 1984 and leased the related property to Wedron Silica Company from 1984 to 1991. Martin Marietta sold the related property to Wedron Silica Company in 1991.

19. Lockheed Martin Corporation (Lockheed Martin) is the successor in interest to Martin Marietta.

20. The Illinois Environmental Protection Agency (IEPA) initiated a ground water investigation at the Wedron Site in 1982 after several residents reported gasoline-type odors in waters from their private wells to the Illinois Department of Public Health (IDPH).

21. IEPA's 1982-1985 ground water investigation (the 1982-1985 Investigation) results reported that seven private drinking water wells, and a well at a former Martin Marietta facility, were contaminated with certain volatile organic compounds (VOCs) below the Maximum Contaminant Level (MCL) established under the National Primary Drinking Water Regulations and benzene above the established MCL.

22. IEPA made no determination as to the source of the groundwater and soil contamination during its 1982-1985 Investigation.

23. The 1982-1985 Investigation noted soil vapors were present in the sub-surface soil on the former Martin Marietta scale house property at the Site.

24. In 1985, the Illinois Commerce Commission funded the installation of two new deep drinking water wells at the Site to provide permanent alternate water to residents with contaminated private wells.

25. In 2011, some residents of Wedron, Illinois reported gasoline-type odors in waters from their private drinking water wells to the LaSalle County Health Department.

26. On October 19, 2011, IDPH and IEPA sampled residential wells at the Wedron Site, and the sample results established that two private wells were contaminated with certain VOCs below the MCL established under the National Primary Drinking Water Regulations and benzene above the established MCL.

27. IEPA referred the Wedron Site to EPA and asked for assistance in a letter dated November 10, 2011.

28. EPA collected samples from all of the 45 private drinking water wells at the Wedron Site on a continuous basis from December 2011 through May 2013.

29. EPA's sample results from December 2011 through May 2013 established that eight private drinking water wells, nine homes total, tested positive for certain VOCs below the MCL established under the National Primary Drinking Water Regulations and benzene above the established MCL.

30. The MCL for benzene under the National Primary Drinking Water Regulations is .005 mg/L, which is equivalent to 5 parts per billion or 5 ppb. See 40 C.F.R. § 141.61.

31. On June 11, 2012, EPA issued a request for information to Wedron Silica pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(e).

32. On June 15, 2012, EPA issued a request for information to Wedron Silica pursuant to Section 9005 of RCRA, 42 U.S.C. § 6991(d).

33. Wedron Silica responded to EPA's June 11, 2012 and June 15, 2012 requests for information on July 24, 2012.

34. Wedron Silica's July 24, 2012 responses to EPA's June 11, 2012 and June 15, 2012 requests for information provided information that Wedron Silica and Martin Marietta managed, handled, stored, treated, disposed of and/or potentially released hazardous wastes and/or hazardous constituents at the Site.

35. On July 26, 2012, EPA issued a request for information to Martin Marietta pursuant to Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), and Section 9005 of RCRA, 42 U.S.C. § 6991d.

36. Lockheed Martin responded to EPA's July 26, 2012 request for information on September 28, 2012, as the successor in interest to Martin Marietta.

37. Lockheed Martin's September 28, 2012 response to EPA's July 26, 2012 request for information provided information that Wedron Silica and Martin Marietta managed, handled, stored, treated, disposed of and/or potentially released hazardous wastes and/or hazardous constituents at the Site.

38. In July and August 2012, EPA and IEPA conducted a site assessment, and took soil and ground water samples that identified soil and ground water contamination in multiple locations at the Wedron Site, many exceeding health based standards.

39. The site assessment reported soil contamination (in levels below applicable heath based standards) at the depth of 15.5 feet below ground surface in one location on property owned by Wedron Silica and operated by Technisand. Benzene was not reported at this location.

40. The ground water contamination plume has the potential to migrate and contaminate additional private drinking water wells at the Wedron Site.

V. DETERMINATIONS AND CONCLUSIONS OF LAW

41. The Wedron Site is a "facility or site" within the meaning of Section 3013(a) of RCRA, 42 U.S.C. § 6934(a).

42. Property currently or historically owned and/or operated by Respondents at the Site is a "facility or site" within the meaning of Section 3013(a) of RCRA, 42 U.S.C. § 6934(a).

43. Each Respondent is a "person" as defined in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15).

44. Each Respondent is an "owner" and/or "operator" or a "previous owner" and/or "previous operator" of a "facility or site" at the Site within the meaning of Section 3013(a) or (b) of RCRA, 42 U.S.C. § 6934(a) or (b).

45. Section 1004(27) of RCRA, 42 U.S.C. § 6903(27) defines the term "solid waste" to mean "any garbage, refuse... and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations..."

46. Section 1004(5) of RCRA, 42 U.S.C. § 6903(5), defines the term "hazardous waste" to mean:

    a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may-

    (A) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

    (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

47. Based on the foregoing Findings of Fact, the Administrative Record, and pursuant to Section 3013(a) of RCRA, 42 U.S.C. § 6934(a), EPA has hereby determined the presence of hazardous waste that is or has been managed at the Site, and/or the release of hazardous waste which is or has been stored, treated, or disposed of at the Site.

48. Based on the foregoing Findings of Fact, the Administrative Record, and pursuant to Section 3013(a) of RCRA, 42 U.S.C. § 6934(a), EPA has hereby determined that there may be a substantial hazard to human health or the environment due to the presence and/or release of hazardous wastes at or from property owned and/or operated by Respondents at the Site.

49. Respondents, as current or previous owners and/or operators of property at the Site, agree to conduct the actions ordered herein, which are necessary to ascertain the presence, nature, and extent of potential hazard to human health or the environment.

50. The EPA has further determined that the monitoring, testing, analysis, and reporting set forth in this Consent Order are reasonable to ascertain the presence, nature, and extent of potential hazard to human health or the environment.

VI. ORDER

51. Pursuant to Section 3013(a) of RCRA, 42 U.S.C. § 6934(a), Respondents consent to and are hereby ordered to perform the following actions in the manner and by the dates specified herein:

52. Attached hereto as Exhibit A is an approved Workplan.

53. All samples shall be collected to adequately ascertain the presence and, to the extent present, the horizontal and vertical extent of impacts. All samples shall be analyzed using EPA-approved analytical methods.

54. The Workplan includes a discussion of the following parameters:

    a. Rationale and objectives of the Workplan;
    b. Field investigation procedures;
    c. Field sample collection procedures;
    d. Field measurements;
    e. Schedule; and
    f. Sample analysis and testing.

55. In accordance with the Workplan schedule, or within forty-five (45) days of completion of any additional work required pursuant to Paragraph 60, below, Respondents shall submit a final report to EPA addressing the activities proposed in the Workplan, including a summary of all actions taken to comply with this Order. The report will serve as a Current Conditions Report, summarizing the results of investigations for work completed in accordance with the Workplan.

56. EPA acknowledges that Respondents may have completed some of the tasks required by this Consent Order and/or that Respondents may have available some of the information and data required by this Consent Order. Such previous work may be used to meet the requirements of this Consent Order upon submission to, and formal approval by, EPA.

57. All work undertaken pursuant to this Consent Order shall be developed and performed in accordance with RCRA and its implementing regulations, and all relevant EPA guidance documents, including those found at http://www.epa.gov/epawaste/hazard/correctiveaction/resources/guidance/index.htm. All attachments to this Consent Order are incorporated herein by reference.

58. Health and Safety Plan. Respondent shall develop a Health and Safety Plan and it shall be implemented during the Work performed under this Consent Order. The Health and Safety plan shall comply with applicable Occupational Safety and Health Administration (OSHA) regulations.

59. The Workplan is incorporated into this Consent Order; any other reports, plans, specifications, schedules, other submissions and attachments required by this Consent Order are, upon written approval by EPA, incorporated into this Consent Order. Any noncompliance with such EPA-approved reports, plans, specifications, schedules, other submissions, and attachments shall be considered a violation of this Consent Order and shall subject Respondents to the stipulated penalty provisions included in Section XVII., Delay in Performance/Stipulated Penalties.

VII. ADDITIONAL WORK

60. EPA may determine that additional monitoring, testing, analysis, and/or reporting is necessary to ascertain the nature and extent of any hazard to human health or the environment which may be presented by the presence or release of hazardous wastes and/or hazardous constituents at the Site. If EPA determines that such additional work is necessary, EPA will notify Respondents in writing and specify the basis for its determination that additional work is necessary. Within fifteen (15) days after the receipt of such determination, Respondents shall have the opportunity to meet or confer with EPA to discuss the additional work. If required by EPA, Respondents shall submit for EPA approval a workplan for the additional work. EPA will specify the contents of such workplan. Such workplan shall be submitted by Respondents within thirty (30) days of receipt of EPA's determination that additional work is necessary, or according to an alternative schedule established by EPA.

VIII. MINIMUM QUALIFICATIONS FOR PERSONNEL

61. All work performed by Respondents pursuant to this Consent Order shall be under the direction and supervision of an individual who has demonstrated expertise in hazardous waste and hazardous constituents site investigation. Before any work is performed, Respondents shall submit to EPA, in writing, the name, title, and qualifications of the supervisory personnel and of any contractors or subcontractors to be used in carrying out the terms of this Consent Order. Additionally, Respondents shall ensure that when a license is required, only licensed individuals shall be used to perform any work required by this Consent Order.

IX. SUBMISSIONS/EPA REVIEW

62. EPA will review Respondents' workplans, reports, and any other documents submitted pursuant to this Consent Order ("submissions"), with the exception of progress reports, and will notify Respondents in writing of EPA's approval or disapproval of each such submission. In the event of EPA's disapproval, EPA shall specify in writing any deficiencies in the submission. Such disapproval shall not be subject to the dispute resolution procedures of Section XVII., below.

63. Within thirty (30) calendar days of receipt of EPA's comments on the submission, Respondents shall submit to EPA for approval a revised submission which responds to any comments received and/or corrects any deficiencies identified by EPA. Respondents may request additional time within which to submit a revised submission. In the event that EPA disapproves the revised submission, Respondents may invoke the dispute resolution procedures of Section XVII., below. Otherwise, EPA reserves the right to revise such submission and seek to recover from Respondents the costs thereof, in accordance with any rights that it may have under RCRA, CERCLA and any other applicable law. Any submission approved or revised by EPA or upheld through dispute resolution under this Consent Order shall be deemed incorporated into and made an enforceable part of this Consent Order.

64. Upon disapproval by EPA of a revised submission, and in the event Respondents do not invoke the dispute resolution procedures of Section XVII., below, Respondents may submit to EPA for approval a subsequent revised submission which responds to any comments received and/or corrects any deficiencies identified by EPA. Respondents may request additional time within which to submit a subsequent revised submission.

65. In the event EPA and Respondents cannot resolve issues relating to EPA's comments and EPA disapproves of any subsequent revised submission, Respondents may invoke the dispute resolution procedures of Section XVII., below. Otherwise, EPA reserves the right to revise such submission and to seek to recover from Respondents the costs of revising the subsequent submission in accordance with RCRA, CERCLA and any other applicable law. Any submission approved or revised by EPA or upheld through dispute resolution under this Consent Order shall be deemed incorporated into and made an enforceable part of this Consent Order.

66. Beginning with the first day of the second full month following the effective date of this Consent Order, and every two months thereafter on the first day of the month, for the first six months that this Consent Order is effective, Respondents shall provide EPA with bi-monthly progress reports which contain the information required in the relevant Scope(s) of Work attached hereto. Thereafter, throughout the period this Consent Order is effective, Respondents shall provide EPA with such reports on a quarterly basis.

67. Two (2) copies (one (1) hard copy, double-sided if possible, and one (1) electronic copy) of all submissions (including revised submissions) required to be submitted by this Consent Order shall be delivered to the EPA Project Coordinator designated pursuant to Section XI., Project Coordinator, below.

68. EPA shall endeavor to timely approve or disapprove any deliverable submitted by Respondents for approval pursuant to this Consent Order. Nothing in this paragraph shall be construed to confer any enforceable rights upon Respondents, nor shall any failure to comply with the provisions of this paragraph be subject to the dispute resolution provisions set forth in Section XVII., below.

69. Unless otherwise specified, reports, correspondence, approvals, disapprovals, notices, or other submissions relating to or required under this Consent Order shall be in writing and shall be sent as follows:

a. All documents to be submitted to EPA shall be sent to:

Steve Faryan, On-Scene Coordinator U.S.
Environmental Protection Agency Region 5 (SC-5J)
77 W. Jackson Blvd.
Chicago, IL 60604

b. Documents to be submitted to Respondents shall be sent to:

Mike Melton
Corporate Environmental Manager
Fairmount Minerals, Ltd.
c/o Wedron Silica Company
3450 E. 2056th Rd.
P.O. Box 119
Wedron, IL 60557

with a copy to:

David J. Crandall
VP, General Counsel & Secretary
Fairmount Minerals, Ltd.
8834 Mayfield Road
Chesterland, Ohio 44026

and:

William W. Bath
Project Manager
Lockheed Martin Corporation
2550 North Hollywood Way, Suite 406
Burbank, CA 91505-5047

with a copy to:

Norman A. Varney, Jr.
Associate General Counsel
Environment, Safety & Health
Lockheed Martin Corporation
P.O. Box 61511
King of Prussia, PA 19406-0911

70. Any notice, report, certification, data presentation, or other document submitted by Respondents pursuant to this Consent Order which discusses, describes, demonstrates, supports any finding or makes any representation concerning Respondents' compliance or noncompliance with any requirement of this Consent Order shall be certified by a duly authorized representative of Respondents. A person is a "duly authorized representative" only if: (a) the authorization is made in writing; (b) the authorization specifies either an individual or position having responsibility for overall operation of the regulated facility or activity (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and (c) the written authorization is submitted to the Project Coordinator designated by EPA pursuant to Section XI., Project Coordinator, of this Consent Order.

71. The certification required by Paragraph 70 above, shall be in the following form:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to be the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature:_____

Name: _____

Title: _____

X. QUALITY ASSURANCE/QUALITY CONTROL

72. Respondents shall follow EPA guidance for sampling and analysis. Within 20 days of the effective date of this Consent Order, Respondents shall submit to EPA for approval a Quality Assurance Project Plan (QAPP) for all sampling and analysis conducted under this Consent Order. The QAPP shall contain quality assurance/quality control (QA/QC) and chain of custody procedures for all sampling, monitoring, and analytical activities. Any deviations from the QA/QC and chain of custody procedures in the approved QAPP must be approved by EPA prior to implementation; must be documented, including reasons for the deviations; and must be reported in the applicable report.

73. The name, address, telephone number and contact person of each analytical laboratory Respondents propose to use must be specified in the applicable QAPP.

74. Within 20 days of the effective date of this Consent Order, Respondents shall submit to EPA for approval Data Quality Objectives for each data collection activity to ensure that data of known and appropriate quality are obtained and that data are sufficient to support their intended use(s).

75. Respondents shall monitor to ensure that high quality data is obtained by their consultant or contract laboratories. Respondents shall ensure that laboratories used by Respondents for analysis perform such analysis according to the latest approved edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846 Third Edition as amended by Update One, July 1992), or other methods deemed satisfactory to EPA. If methods other than EPA methods are to be used, Respondents shall specify and submit all such protocols for EPA approval in the Data Quality Objectives deliverable. EPA may reject any data that do not meet the requirements of the approved Workplan or EPA analytical methods and may require resampling and additional analysis.

76. Respondents shall ensure that laboratories they use for analyses participate in a QA/QC program equivalent to that which is followed by EPA. EPA may conduct a performance and QA/QC audit of each laboratory chosen by Respondents before, during, or after sample analyses. Upon request by EPA, Respondents shall have their laboratory perform analyses of samples provided by EPA to demonstrate laboratory performance. If the audit reveals deficiencies in a laboratory's performance or QA/QC, resampling and additional analysis may be required.

XI. PROJECT COORDINATOR

77. EPA hereby designates as its Project Coordinator:

Steve Faryan, On-Scene Coordinator U.S.
Environmental Protection Agency Region 5 (SC-5J)
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 353-9351

78. Within fifteen (15) calendar days of Respondents' receipt of this Consent Order, Respondents shall designate a Project Coordinator and submit the designated Project Coordinator's name, address, and telephone number in writing to EPA.

79. Each Project Coordinator shall, on behalf of the party that designated him/her, oversee the implementation of this Consent Order and function as the principal project contact.

80. Respondents shall provide EPA with a written notice of any change in their Project Coordinator. Such notice shall be provided at least seven (7) calendar days prior to the change in Project Coordinator.

XII. SAMPLING AND DATA/DOCUMENT AVAILABILITY

81. Respondents shall submit to EPA the results of all sampling and/or tests or other data generated by, or on behalf of, Respondents pursuant to the requirements of this Consent Order and the Attachments appended hereto and incorporated herein.

82. Respondents shall notify EPA, in writing, at least fourteen (14) calendar days in advance of engaging in any field activities at the Site conducted pursuant to this Consent Order. At the request of EPA, Respondents shall provide or allow EPA or its authorized representatives to take split and/or duplicate samples of all samples collected by Respondents pursuant to this Consent Order. Similarly, at the request of Respondents, EPA will allow Respondents or their authorized representatives to take split and/or duplicate samples of any samples collected by EPA under this Consent Order, provided that such sampling shall not delay EPA's proposed sampling activities. Upon request, Respondents shall submit to EPA the results of all sampling and/or tests or other data generated by, or on behalf of, the Respondents pursuant to this Order. Nothing in this Consent Order shall limit or otherwise affect EPA's authority to collect samples pursuant to applicable law, including, but not limited to, RCRA and CERCLA.

XIII. ON-SITE AND OFF-SITE ACCESS

83. Respondents Wedron Silica and Technisand shall provide access at all reasonable times to the Site and to all records and documentation relating to conditions at the Site and the activities conducted pursuant to this Consent Order to EPA and its employees, contractors, agents, consultants, and representatives. These individuals shall be permitted to move freely (subject to applicable Mine Safety Health Act (MSHA) and OSHA requirements) at the Site in order to conduct activities which EPA determines necessary pursuant to this Consent Order.

84. To the extent that activities required by this Consent Order or by any approved workplans prepared pursuant hereto, must be done on property not owned or controlled by Respondents, Respondents will use their best efforts to obtain access agreements in a timely manner from the present owners of such property. Best efforts, as used in this paragraph, shall include the payment of reasonable compensation in consideration for granting access. Respondents shall ensure that EPA's Project Coordinator has a copy of any access agreements.

85. Nothing in this Consent Order limits or otherwise affects EPA's right of access and entry pursuant to applicable law, including, but not limited to, RCRA and CERCLA.

XIV. RECORD PRESERVATION

86. Respondents shall retain, during the pendency of this Consent Order and for a minimum of five (5) years after its termination, a copy of all data, records, and documents now in their possession or control, or in the possession or control of their contractors, subcontractors, representatives, or which come into the possession or control of the Respondents, their contractors, subcontractors, or representatives, which relate in any way to this Consent Order. Respondents shall notify EPA, in writing, at least ninety (90) days in advance of the destruction of any such records, and shall provide EPA with the opportunity to take possession of any such records. Such written notification shall reference the caption, docket number and date of issuance of this Consent Order and shall be addressed to EPA's Project Coordinator, as follows:

Steve Faryan, On-Scene Coordinator U.S.
Environmental Protection Agency Region 5 (SC-5J)
77 W. Jackson Blvd.
Chicago, IL 60604

Additionally, Respondents shall provide data, records and documents retained under this Section at any time before the expiration of the five (5) year period at the written request of EPA.

XV. INFORMATION SUBMITTED TO EPA

87. Respondents may assert a business confidentiality claim in the manner described in 40 C.F.R. § 2.203(b) covering all or part of any information submitted to EPA pursuant to this Consent Order. In accordance with 40 C.F.R. § 2.204(e)(4), any assertion of confidentiality shall be adequately substantiated by Respondents when the assertion is made. Information submitted for which Respondents have asserted a claim of confidentiality as specified above shall be disclosed by EPA only to the extent and manner permitted by 40 C.F.R. Part 2, Subpart B. If no such confidentiality claim accompanies the information when it is submitted to EPA, the information may be made available to the public by EPA without further notice to the Respondents. Respondents agree not to assert any confidentiality claim with respect to any physical, sampling, monitoring, or analytical data.

88. In the event that Respondents wish to assert a privilege with regard to any document which EPA seeks to inspect or copy pursuant to this Consent Order, Respondents shall identify the document, the privilege claimed and the basis therefore in writing. For the purposes of this Consent Order, privileged documents are those documents exempt from discovery from the United States in litigation under the Federal Rules of Civil Procedure and/or any applicable case law. EPA may dispute any such claim of privilege pursuant to the dispute resolution provisions set forth in Section XVII., below.

XVI. DELAY IN PERFORMANCE/STIPULATED PENALTIES

89. Unless there has been a written modification of a compliance date by EPA, or excusable delay as defined below in Section XVIII., Force Majeure, in the event that Respondents fail to comply with any requirement set forth in this Consent Order, Respondents shall pay stipulated penalties, as set forth below, upon receipt of written demand by EPA.

90. Compliance by Respondents shall include commencement or completion, as deemed appropriate by EPA, of any activity, plan, study or report required by this Consent Order, and in the manner required by this Consent Order and within the specified time schedules in and approved under this Consent Order. Stipulated penalties shall accrue as follows:

91. For any failure to commence, perform or complete work as prescribed in this Consent Order: $500 per day for one to fifteen days or part thereof of noncompliance, $1,000 per

day for sixteen to thirty days or part thereof of noncompliance, and $1,500 per day for each day of noncompliance, or part thereof, thereafter;

92. For any failure to submit any draft or final workplans, plans, or reports as required by this Consent Order: $250 per day for one to fifteen days or part thereof of noncompliance, $500 per day for sixteen to thirty days or part thereof of noncompliance, and $1,000 per day for each day of noncompliance, or part thereof, thereafter; and

93. For any failure to submit other deliverables as required by this Consent Order: $250 per day for one to fifteen days or part thereof of noncompliance, $500 per day for sixteen to thirty days or part thereof of noncompliance, and $1,000 per day for each day of noncompliance, or part thereof, thereafter.

94. All stipulated penalties shall begin to accrue the first day that a violation occurs, or the first day after the date that complete performance is due, and shall continue to accrue through the final day of or correction of the violation. Nothing herein shall prevent the simultaneous accrual of separate stipulated penalties for separate violations of this Consent Order.

95. All stipulated penalties owed to EPA under this section shall be due within thirty (30) calendar days of receipt of a demand for payment, unless Respondents invoke the dispute resolution procedures under Section XVII., below. Such demand for payment shall describe the noncompliance and shall indicate the amount of stipulated penalties due.

96. All stipulated penalty payments may be made by certified or cashier's check payable to the Treasurer of the United States of America and shall be remitted to:

    U.S. Department of the Treasury
    Attention: EPA Region 5,
    Office of the Comptroller
    P.O. Box 70753
    Chicago, Illinois 60673

97. All payments shall reference the Respondents' name and address, and the EPA Docket Number of this Consent Order. Copies of the transmittal of payment shall be sent simultaneously to the EPA Project Coordinator and the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 5 (E-19J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

98. Respondents may dispute EPA's demand for payment of stipulated penalties for any alleged violation of this Consent Order by invoking the dispute resolution procedures below under Section XVII., Dispute Resolution. Stipulated penalties shall continue to accrue, but are not required to be paid, for any alleged noncompliance which is the subject of dispute resolution during the period of such dispute resolution. To the extent that Respondents do not prevail upon resolution of the dispute, Respondents shall remit to EPA within twenty-one (21) calendar days of receipt of EPA's written decision as to said

dispute, any outstanding penalty payment in the manner described above in Paragraph 96 of this Section.

99. Neither the filing of a petition to resolve a dispute nor the payment of stipulated penalties shall alter in any way Respondents' obligation to comply with the requirements of this Consent Order.

100. The assessment of stipulated penalties set forth in this section shall not preclude EPA from pursuing any other remedies or sanctions which may be available to EPA by reason of Respondents' failure to comply with any of the requirements of this Consent Order.

XVII. DISPUTE RESOLUTION

101. If a dispute arises under this Consent Order, the procedures of this section shall apply. The Parties shall make reasonable efforts to informally resolve disputes at the Project Coordinator or immediate supervisor level.

102. If Respondents disagree, in whole or in part, with any EPA disapproval, modification or other decision or directive made by EPA pursuant to this Consent Order, Respondents shall notify EPA in writing of their objections, and the basis therefore, within fourteen (14) calendar days of receipt of EPA's disapproval, decision or directive. Such notice shall set forth the specific points of the dispute, the position which Respondents assert should be adopted as consistent with the requirements of this Consent Order, the basis for Respondents' position, and any matters which they consider necessary for EPA's determination. EPA and Respondents shall have an additional fourteen (14) calendar days from the receipt by EPA of the notification of objection, during which time representatives of EPA and Respondents may confer in person or by telephone to resolve any disagreement. If an agreement is reached, the resolution shall be written and signed by an authorized representative of each party. In the event that resolution is not reached within the twenty-eight (28) calendar day period, EPA will furnish to Respondents, in writing, its decision on the pending dispute. Said written decision shall state the basis and rationale for the decision.

103. Except as provided in Paragraphs 101 and 102 above, the existence of a dispute, as defined in this section, and EPA's consideration of matters placed into dispute, shall not excuse, toll or suspend any other compliance obligation or deadline required pursuant to this Consent Order during the pendency of the dispute resolution process.

104. Notwithstanding any other provisions of this Consent Order, no action or decision by EPA pursuant to this Consent Order shall constitute final agency action giving rise to any right to judicial review.

XVIII. FORCE MAJEURE

105. Respondents shall perform the requirements of this Consent Order in the manner and within the time limits set forth herein, unless the performance is prevented or delayed by

events which constitute a *force majeure.* Respondents shall have the burden of proving such a *force majeure.* A force *majeure* is defined as any event arising from causes not reasonably foreseeable and beyond the control of Respondents, which cannot be overcome by due diligence and which delays or prevents performance in the manner or by a date required by this Consent Order. A *force majeure* does not include: increased costs of performance; changed economic circumstances; failure to obtain federal, State or local permits; reasonably foreseeable weather conditions; or weather conditions which could have been overcome by due diligence.

106. Respondents shall notify EPA, in writing, within ten (10) calendar days after they become or should have become aware of any event which Respondents claim constitutes a *force majeure.* Such notice shall estimate the anticipated length of delay, including necessary demobilization and remobilization, its cause, measures taken or to be taken to prevent or minimize the delay, and an estimated time table for implementation of these measures. Failure to comply with the notice provision of this paragraph shall constitute a waiver of Respondents' right to assert a *force majeure* claim with respect to such event. If, in EPA's sole and unreviewable discretion, EPA determines that the failure to give notice was not prejudicial to EPA's efforts to protect human health or the environment, Respondents' failure to give notice shall not constitute a waiver. In addition to the above notification requirements, Respondents shall undertake all reasonable actions to prevent or to minimize any delay in achieving compliance with any requirement of this Consent Order after it becomes or should have become aware of any event which may delay such compliance.

107. If EPA determines that the failure to comply or delay has been or will be caused by a *force majeure,* the time for performance of that requirement of this Consent Order may be extended, upon EPA approval, for a period equal to the delay resulting from such *force majeure.* This shall be accomplished through an amendment to this Consent Order pursuant to Section XXII., Subsequent Modification of Order. Such an extension shall not alter the schedule for performance or completion of any other tasks required by this Consent Order, unless these tasks are unavoidably affected by the delay. In the event that EPA and Respondents cannot agree that any delay or failure has been or will be caused by a *force majeure,* or if there is no agreement on the length of the extension, Respondents may invoke the dispute resolution procedures set forth in Section XVII., Dispute Resolution.

XIX. EPA'S RESERVATION OF RIGHTS

108. EPA expressly reserves all rights and defenses that it may have, including the right to disapprove of work performed by Respondents pursuant to this Consent Order, to require that Respondents correct and/or re-perform any work disapproved by EPA, and to request that Respondents perform tasks in addition to those stated in the Workplan, or in this Consent Order, consistent with the objectives of this Consent Order.

109. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights and remedies, both legal and equitable, including any which may pertain to Respondents' failure to comply with any of the requirements of this Consent Order. This Consent Order

shall not be construed as a covenant not to sue, or as a release, waiver or limitation of any rights, remedies, defenses, powers and/or authorities, civil or criminal, which EPA has under RCRA, CERCLA, the Clean Water Act (CWA), the Safe Drinking Water Act (SDWA), the Clean Air Act (CAA), or any other statutory, regulatory, or common law enforcement authority of the United States.

110. EPA reserves the right to perform any portion of the work required herein or any additional monitoring, sampling, analysis, or reporting it deems necessary to protect public health or welfare or the environment. EPA reserves the right to seek reimbursement from Respondents for costs incurred by the EPA in connection with any such actions, pursuant to any right it may have under applicable law.

111. EPA reserves whatever rights it may have under any environmental law or authority, or in equity, to seek to recover from Respondents any costs incurred by EPA in overseeing the implementation of this Consent Order.

XX. OTHER APPLICABLE LAWS

112. All actions required to be taken by Respondents pursuant to this Consent Order shall be undertaken in accordance with the requirements of all applicable federal, state, and local laws, regulations, permits, and ordinances.

113. Compliance by Respondents with the terms of this Consent Order shall not relieve Respondents of their obligations to comply with RCRA, or any other applicable federal, state, or local laws, regulations, permits, and ordinances.

114. This Consent Order is not and shall not be interpreted to be a permit, or as a ruling or a determination of any issue related to a permit under federal, state or local law. This Consent Order shall not in any way affect Respondents' obligation, if any, to secure such a permit, nor shall this Consent Order be interpreted in any way to affect or waive any of the conditions or requirements that may be imposed by such permit, nor of Respondents' right to appeal any conditions of such permit. Respondents shall obtain or cause their representatives to obtain all permits and approvals necessary under such laws and regulations.

XXI. OTHER CLAIMS

115. Nothing in this Consent Order shall constitute or be construed as a release from any claim, cause of action, demand, or defense in law or equity, against any person, firm, partnership, or corporation for any liability it may have arising out of or relating in any way to the generation, storage, treatment, handling, transportation, release, or disposal of any solid wastes, hazardous wastes, hazardous constituents, hazardous substances, pollutants, or contaminants found at, taken to, or migrating from the Site.

116. Neither the United States nor EPA shall be deemed a party to any contract involving Respondents and relating to activities at the Site and shall not be liable for any claim or

cause of action arising from or on account of any act, or omission of Respondents, their officers, employees, contractors, receivers, trustees, agents or assigns, in carrying out the activities required by this Consent Order.

XXII. SUBSEQUENT MODIFICATION OF ORDER

117. Except as provided in Paragraph 118 of this section, the provisions of this Consent Order may be amended only by mutual agreement of EPA and Respondents. Any such amendment shall be in writing, shall be signed by an authorized representative of each party, shall have as its effective date the date on which it is signed by EPA, and shall be incorporated into this Consent Order. Any oral agreement between EPA and Respondents, the purpose of which is to modify this Consent Order to address exigent circumstances, and which is subsequently ratified in writing by EPA and Respondents, shall have as its effective date the date of such oral agreement.

118. Minor modifications in the studies, techniques, procedures, designs or schedules utilized in carrying out this Consent Order and necessary for the completion of the project may be made by written agreement of the Project Coordinators. Such modifications shall have as an effective date the date on which the agreement is signed by the EPA Project Coordinator.

119. No informal advice, guidance, suggestions, or comments by EPA regarding reports, plans, specifications, schedules, and any other writing submitted by Respondents shall be construed as relieving Respondents of their obligation to obtain written approval, if and when required by this Consent Order.

XXIII. SEVERABILITY

120. If any provision or authority of this Consent Order, or the application of this Consent Order to any party or circumstances, is held by any judicial or administrative authority to be invalid, the application of such provisions to other Parties or circumstances and the remainder of the Consent Order shall not be affected thereby and shall remain in full force.

XXIV. TERMINATION AND SATISFACTION

121. The provisions of this Consent Order shall be deemed satisfied upon Respondents' receipt of written notice from EPA that Respondents have demonstrated to the satisfaction of EPA that the terms of the Consent Order, including any additional tasks determined by EPA to be required pursuant to this Consent Order, have been satisfactorily completed. Such notice shall not be unreasonably withheld. This notice shall not, however, terminate Respondents' obligations to comply with any continuing obligations hereunder, including, but not limited to, Section XIV., Record Preservation; Section XIX., Reservation of Rights; Section XX., Other Applicable Laws; and Section XXI., Other Claims.

XXV. ATTORNEYS' FEES AND COSTS

122. Except as otherwise provided herein, Respondents shall bear their own costs and attorneys' fees.

XXVI. EFFECTIVE DATE

123. The effective date of this Consent Order shall be the date on which Respondents receive a true and correct copy of the fully executed Consent Order.

IT IS SO AGREED AND

ORDERED: FOR COMPLAINANT

DATE: September 24, 2013 BY: _____

Margaret M. Guerriero,
Director Land and Chemicals
Division
U. S. Environmental Protection Agency
Region 5

REGIONAL HEARING CLERK
RECEIVED
SEP 25 2013
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:
Wedron Ground Water Contamination Site,
Wedron, Illinois

FOR RESPONDENT Lockheed Martin Corporation

DATE: 9/17/13 BY: Carol B. Cala

Carol B. Cala
Vice President – Energy, Environment,
Safety & Health
Lockheed Martin Corporation
6801 Rockledge Drive, MP CCT-246
Bethesda, MD 20817

IN THE MATTER OF:
Wedron Ground Water Contamination Site,
Wedron, Illinois

FOR RESPONDENT Wedron Silica Company

DATE: September 17, 2013

BY: _____
David J. Crandall
VP, General Counsel & Secretary
Fairmount Minerals, Ltd.
8834 Mayfield Road
Chesterland, OH 44026

IN THE MATTER OF:
Wedron Ground Water Contamination Site,
Wedron, Illinois

FOR RESPONDENT Technisand, Inc.

DATE: September 17, 2013 BY: David J. Crandall

David J. Crandall
VP, General Counsel & Secretary
Fairmount Minerals, Ltd.
8834 Mayfield Road
Chesterland, OH 44026

RCRA-05-2013-0011

EXHIBIT A

WORKPLAN

GZA
GeoEnvironmental, Inc.

Engineers and Scientists

20900 Swenson Drive,
Suite 150
Waukesha, Wisconsin
53186

262-754-2560
Fax: 262-754-9711

www.gza.com

WORKPLAN

September 12, 2013

The following Workplan is submitted by GZA GeoEnvironmental, Inc. (GZA) for conducting sampling, analysis, monitoring, and reporting at property currently or historically owned and/or operated by Wedron Silica Company (Wedron Silica), Technisand, Inc. (Technisand), and Martin Marietta Corporation (Martin Marietta). The Workplan is prepared in response to requests made by the United States Environmental Protection Agency (USEPA) to Wedron Silica, Technisand, and Lockheed Martin Corporation (Lockheed Martin), and in accordance with the terms of an Administrative Order on Consent (AOC) to which this Workplan will be attached.

The purpose of the Workplan is to evaluate the nature and extent of the presence and/or release of hazardous wastes and/or hazardous constituents at certain locations on Wedron Silica property using a phased approach, comparing soil analytical results to Illinois Tiered Approach to Corrective Action Objectives (TACO)[1] Tier 1 Class I migration to groundwater soil remediation objectives (SROs) to evaluate whether potential source areas exist which require additional characterization and/or investigation.

The general areas included for investigation are:

1) the Tech Center;

2) the area around Illinois Environmental Protection Agency (IEPA) boring GP-10 drilled in 2012 and IEPA monitoring well G103 installed in 1984 near the former Scale-House well;

3) the two former 4,000-gallon gasoline underground storage tanks (USTs) and dispensers closed in 1998 near the main office, which are being investigated under the oversight of the Illinois Office of State Fire Marshal (OSFM), pursuant to a separate Workplan;

4) the former 6,000-gallon gasoline UST near the current Screen House that was closed in 1982;

5) the Pit 2 reclamation area; and

6) evaluation of groundwater and surface water elevations.

The work scopes proposed for each of the six areas were developed through discussions among representatives of the USEPA, Wedron Silica and Lockheed Martin, and will be performed pursuant to the terms of the AOC.

[1] Title 35, Subtitle G, Chapter I, Subchapter F, Part 742 of the Illinois Administrative Code.

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After conclusion of implementation of the work set forth in this Workplan, a final report will be prepared for submission to USEPA, as required under the AOC.

Tech Center

The Tech Center and on-site wastewater treatment system layout are shown on View 1 on Figure 1 and an expanded view is shown on Figure 2. The following work will be performed:

- Two Geoprobe® soil borings will be drilled to the depth of refusal (bedrock) or groundwater, whichever is encountered first (Total Depth), adjacent to the on-site wastewater treatment system at the approximate locations shown on Figures 1 and 2. One boring will be drilled just east of the holding tank and the other boring will be drilled just west of the connection to the storm sewer line located on the west side of the Jackson Street right-of-way.

- Soil samples will be field-screened for organic compounds with a photoionization detector (PID) capable of measuring in the part per billion (ppb) range, and two soil samples from each boring will be submitted for laboratory analyses for volatile organic compounds (VOCs) in accordance with USEPA Method 8260B. Soil samples will be selected for laboratory analyses based on field indications from field screening, odors, staining, etc. If there are no such indicators in soil from the holding tank boring, one soil sample will be submitted for analysis from the 6- to 8-foot interval (anticipated to be from near the base of the holding tank) and one soil sample will be submitted for analysis from Total Depth. If there are no such indicators in soil from the boring drilled near the connection to the storm sewer, one soil sample will be submitted for analysis from the 4- to 6-foot interval (anticipated to be from near the base of the storm sewer[2]) and one soil sample will be submitted for analysis from Total Depth.

- The work conducted, the field screening and analytical results obtained, a comparison of detected constituent concentrations to TACO Tier 1 Class I migration to groundwater SROs and recommendations for follow-up investigation activities, as warranted, will be documented in a report. The report will be submitted to the USEPA. If soil VOC concentrations are all less than TACO Tier 1 Class I migration to groundwater SROs, additional investigation will be unnecessary. If TACO Tier 1 Class I migration to groundwater soil SROs are exceeded, additional activities such as development of Tier 2 TACO levels and/or additional soil investigation and possible investigation of groundwater will be considered. If groundwater investigation is proposed, consideration of the community-wide presence of petroleum constituents in groundwater will be taken into consideration in the interpretation

[2] Wedron Silica and USEPA have contacted LaSalle County for information on the specifications for the storm sewer. Information obtained from La Salle County will be used to adjust the target intervals of the soil samples, as warranted.

of results. Specific information to be considered will include: 1) soil data collected at other potential source areas; 2) soil data collected as part of this investigation; 3) groundwater flow directions determined from piezometers and surface water gaging collected as part of this investigation; and 4) other available data. If additional investigation of soil and/or groundwater is warranted, a Workplan will be prepared and submitted to the USEPA in advance of conducting additional investigation.

Boring GP-10 and Monitoring Well G103 Area

The area of IEPA 2012 boring GP-10 and 1984 monitoring well G103 near the former Scale-House well is shown on View 2 on Figure 1 and an expanded view is shown on Figure 3. During a 1982 to 1984 groundwater investigation by IEPA, petroleum constituents were reported in the Scale-House well. IEPA noted odors in soil samples collected between the depths of 14.7 feet and approximately 15.8 feet where clay was encountered in the boring (B5) drilled for monitoring well G103. Petroleum constituents were reported at concentrations below TACO Tier 1 SROs in 2012 in soil collected from a depth of 15.5 feet (estimated to be from near or below the water table) in boring GP-10. Refusal was encountered at a depth of 18 feet in boring GP-10. The following work will be performed:

- Three Geoprobe® soil borings will be drilled to Total Depth on approximately 25-foot centers spaced between IEPA 2012 boring GP-10 and 1984 monitoring well G103 at the approximate locations shown on Figures 1 and 3. Note that fixed process equipment exists in the area of the proposed borings which limits access to the area for a Geoprobe® drilling rig.

- Soil samples will be field-screened for organic compounds with a PID capable of measuring in the ppb range, and two soil samples from each boring will be submitted for laboratory analyses for VOCs in accordance with USEPA Method 8260B. Soil samples will be selected for laboratory analyses based on field indications from field screening, odors, staining, etc. If there are no such indicators in soil, one soil sample will be submitted for analysis from the 6- to 8-foot interval (anticipated to be approximately half the distance to the water table) and one soil sample will be submitted for analysis from the depth interval immediately above the water table (approximately 15 to 17 feet) or refusal.

- The work conducted, the field screening and analytical results obtained, a comparison of detected contaminant concentrations to Illinois TACO Tier 1 Class I migration to groundwater SROs and recommendations for follow-up investigation activities, as warranted, will be documented in a report. The report will be submitted to the USEPA. If soil VOC concentrations are all less than TACO Tier 1 Class I migration to groundwater SROs, additional investigation will be unnecessary. If TACO Tier 1 Class I migration to groundwater soil SROs are exceeded, additional activities such as development of Tier 2 TACO levels and/or additional soil investigation and possible

investigation of groundwater will be considered. If groundwater investigation is proposed, consideration of the community-wide presence of petroleum constituents in groundwater will be taken into consideration in the interpretation of results. Specific information to be considered will include: 1) soil data collected at other potential source areas; 2) soil data collected as part of this investigation; 3) groundwater flow directions determined from piezometers and surface water gaging collected as part of this investigation; and 4) other available data. If additional investigation of soil and/or groundwater is warranted, a Workplan will be prepared and submitted to the USEPA in advance of conducting additional investigation.

Former 4,000-Gallon Gasoline UST System

The former 4,000-gallon gasoline UST system is shown on View 3 on Figure 1 and an expanded view is shown on Figure 4. Site assessment soil samples were collected from the base and sidewalls of the UST tank basin at the time the USTs were pulled in 1998, but soil samples were not taken beneath the short section of piping runs between the USTs and dispensers or beneath the dispensers. Based on information in the UST closure report and historical aerial photography, the locations of the two USTs and two dispensers were identified to within a couple of feet. Investigation of this area will be performed under the oversight of the OSFM, pursuant to a separate Workplan, which will generally cover the following work:

- Four Geoprobe® soil borings will be drilled to depths of approximately 7 feet (2 feet below the top of the former USTs) at the approximate locations shown on Figures 1 and 4. The proposed borings target the location of the former dispensers and the approximate locations of the former piping runs between the former USTs and dispensers.

- The current gasoline aboveground storage tank (AST) will be temporarily moved to allow the target locations to be drilled.

- Soil samples will be field-screened for petroleum with a PID capable of measuring in the ppb range, and one soil sample from each boring will be submitted for laboratory analyses for VOCs in accordance with USEPA Method 8260B, lead in accordance with USEPA Method 6010B, and soil pH in accordance with USEPA Method 9045D. Soil samples will be selected for laboratory analyses based on field indications from field screening, odors, staining, etc. If there are no such indicators, a soil sample from the 5- to 7-foot interval will be submitted for the analyses.

- The work conducted, the field screening and analytical results obtained, a comparison of detected constituent concentrations to Illinois TACO Tier 1 Class I migration to groundwater SROs and recommendations for follow-up investigation activities, as warranted, will be documented in a report. The report will be submitted to the OSFM and the USEPA. If soil VOC

concentrations are all less than TACO Tier 1 Class I migration to groundwater SROs, additional investigation will be unnecessary. If TACO Tier 1 Class I migration to groundwater SROs are exceeded, additional activities such as development of Tier 2 TACO levels and/or additional soil investigation and possible investigation of groundwater will be considered. If additional investigation of soil and/or groundwater is warranted, a Workplan will be prepared and submitted to the OSFM in advance of conducting additional investigation.

Former 6,000-Gallon Gasoline UST Near Screen House

The former 6,000-gallon gasoline UST near the current Screen House is shown on View 4 on Figure 1 and an expanded view is provided on Figure 5. The 6,000-gallon gasoline UST was installed in approximately 1975, and pulled in approximately 1982 to allow for construction of the current Screen House. Based on information in Wedron Silica files, the UST was located north of the "Paper Shed" and was 29 feet 2 inches long and 6 feet in diameter. The location of the Paper Shed was identified in historical aerial photography. The following work will be performed:

- Five Geoprobe® soil borings will be drilled on approximate 10-foot centers to depths of approximately 11 feet (estimated 2 to 3 feet below the base of the former USTs) at the approximate locations shown on Figures 1 and 5. The proposed borings target the ends and footprint of the former USTs. Note that the Screen House was constructed adjacent to the former 6,000-gallon gasoline UST which may limit access to the area for a Geoprobe® drilling rig.

- Soil samples will be field-screened for petroleum with a PID capable of measuring in the ppb range, and one soil sample from each boring will be submitted for laboratory analyses for VOCs in accordance with USEPA Method 8260B, lead in accordance with USEPA Method 6010B, and soil pH in accordance with USEPA Method 9045D. Soil samples will be selected for laboratory analyses based on field indications from field screening, odors, staining, etc. If there are no such indicators, the soil sample from the 9- to 11-foot interval (estimated 1 to 3 feet below the former UST) will be submitted for the analyses.

- The work conducted, the field screening and analytical results obtained, a comparison of detected constituent concentrations to Illinois TACO Tier 1 Class I migration to groundwater SROs and recommendations for follow-up investigation activities, as warranted, will be documented in a report. The report will be submitted to the USEPA. If soil VOC concentrations are all less than TACO Tier 1 Class I migration to groundwater SROs, additional investigation will be unnecessary. If TACO Tier 1 Class I migration to groundwater SROs are exceeded, additional activities such as development of Tier 2 TACO levels and/or additional soil investigation and possible investigation of groundwater will be considered. If groundwater investigation is

proposed, consideration of the community-wide presence of petroleum constituents in groundwater will be taken into consideration in the interpretation of results. Specific information to be considered will include: 1) soil data collected at other potential source areas; 2) soil data collected as part of this investigation; 3) groundwater flow directions determined from piezometers and surface water gaging collected as part of this investigation; and 4) other available data. If additional investigation of soil and/or groundwater is warranted, a Workplan will be prepared and submitted to the USEPA in advance of conducting additional investigation.

Pit 2 Reclamation Area

The partially reclaimed Pit 2 is shown on Figure 1. After sand extraction from the quarry ended, the southern portion was reclaimed with various materials. Further evaluation of the groundwater-flow conditions in and around Pit 2 will be conducted before soil samples are collected from soil borings for laboratory analysis. One groundwater-level monitoring location will be completed. We understand that additional wells will be installed by USEPA and IEPA in 2013, and water levels obtained from these wells will also be used to refine groundwater-flow conditions in and around Pit 2. The following work will be performed:

- Install a piezometer in an area north of the existing scale and south of the pipe bridge across the Fox River at the approximate location shown on Figure 1 to aid in the evaluation of groundwater-flow conditions in and around Pit 2. The piezometer will be installed in a boring using rotosonic drilling methods. Continuous soil and rock core samples will be collected for geological characterization. A piezometer will be constructed of 2-inch diameter PVC casing and screened with a 20-foot long, 0.010-inch slot screen placed across the water table and finished with a flush-mount protective casing. Filter pack will be placed around and to approximately 2 feet above the screen, followed by placement of a 2-foot thick bentonite seal and bentonite grout to near grade. The piezometer will be developed to remove residual drill cuttings from the wells to provide hydraulic connection between the aquifer and the well screen. The piezometer will be surveyed for vertical and horizontal control so that groundwater elevations can be determined from the piezometer.

- Two rounds of water levels will be collected from the piezometer, from the piezometers proposed for the task discussed below, from the nine monitoring wells (MW-1 through MW-9) installed by Wedron Silica in 2013, the monitoring well (TW-9) installed by IEPA in 2012, the four surface water monitoring locations containing pressure transducers (Pits 1, 2 and 3 and at the Fox River pump house), the two staff gage locations along Buck Creek, the location in the Fox River at the Highway 21 bridge crossing and the additional monitoring wells to be installed by the USEPA and IEPA in 2013, to which USEPA or IEPA provides access. Each of the water-level monitoring locations, except for those yet to be installed by USEPA and IEPA, are shown on Figure 1.

- Using the water-level data obtained from the above task, locations will be selected in consultation with the USEPA for three Geoprobe® soil borings to be drilled to Total Depth within the reclaimed portion of Pit 2.

- Soil samples will be field-screened for organic compounds with a PID capable of measuring in the ppb range, and two soil samples from each boring will be submitted for laboratory analyses for VOCs in accordance with USEPA Method 8260B. Foreign material encountered in each boring, if any, will be noted. Soil samples will be selected for laboratory analyses based on field indications from field screening, odors, staining, etc. If there are no such indicators in soil, one soil sample will be submitted for analysis from the 6- to 8-foot interval (anticipated to be approximately half the distance to the water table) and one soil sample will be submitted for analysis from the depth interval immediately above the water table (approximately 15 to 17 feet). If groundwater is encountered, a groundwater grab sample will be collected for VOC analysis in accordance with USEPA Method 8260B.

- The work conducted, the field screening and analytical results obtained, a comparison of detected constituent concentrations to Illinois TACO Tier 1 Class I migration to groundwater SROs and recommendations for follow-up investigation activities, as warranted, will be documented in a report. The report will be submitted to the USEPA. If soil VOC concentrations are all less than TACO Tier 1 Class I migration to groundwater SROs, additional investigation will be unnecessary. If TACO Tier 1 Class I migration to groundwater SROs are exceeded, additional activities such as development of Tier 2 TACO levels and/or investigation of soil and possible investigation of groundwater will be considered. If groundwater investigation is proposed, consideration of the community-wide presence of petroleum constituents in groundwater will be taken in the interpretation of results. Specific information to be considered will include: 1) soil data collected at other potential source areas; 2) soil data collected as part of this investigation; 3) groundwater flow directions determined from piezometers and surface water gaging collected as part of this investigation; and 4) other available data. If additional investigation of soil and/or groundwater is warranted, a Workplan will be prepared and submitted to the USEPA in advance of conducting additional investigation.

Evaluation of Groundwater and Surface Water Elevations

In order to further evaluate and define the groundwater-flow regime throughout the Wedron community, three additional piezometers will be installed. The following work will be performed:

- Three piezometers will be installed in a line near the north extent of the Wedron Silica mine operations at the approximate location shown on Figure 1. In addition, surface-water level measurement locations have already been

established in Pits 1, 2 and 3, at two locations on the Fox River, and at two locations along Buck Creek at the approximate locations shown on Figure 1. The piezometers will be installed in borings drilled using rotosonic drilling methods. Continuous soil and rock core samples will be collected for geological characterization. The piezometers will be constructed of 2-inch diameter PVC casing and screen with 20-foot long, 0.010-inch slot screen placed across the water table and finished with a flush-mount protective casing. Filter pack will be placed around and to approximately 2 feet above the screens followed by placement of a 2-foot thick bentonite seal and bentonite grout to near grade. The piezometers will be developed to remove residual drill cuttings from the wells to provide hydraulic connection between the aquifer and each well screen. The piezometers will be surveyed for vertical and horizontal control so that groundwater elevations can be determined from the piezometer.

- Two rounds of water levels will be collected from the three piezometers, from the piezometer proposed in the prior task, from the nine monitoring wells (MW-1 through MW-9) installed by Wedron Silica in 2013, the monitoring well (TW-9) installed by IEPA in 2012, the four surface water monitoring locations containing pressure transducers (Pits 1, 2 and 3 and at the Fox River pump house), the two staff gage locations along Buck Creek, the location in the Fox River at the Highway 21 bridge crossing and in additional monitoring wells to be installed by the USEPA and IEPA in 2013, to which USEPA or IEPA provides access.

- For each round of water-level measurements, water-level data and a groundwater-elevation contour map will be submitted to the USEPA.

Additional Deliverables

Prior to implementation of the work under this Workplan, a Quality Assurance Project Plan (QAPP), Data Quality Objectives (DQOs), and a Health and Safety Plan (HASP) will be prepared for submission to the USEPA, as required under the AOC. After approval by USEPA, the QAPP, DQOs and HASP shall be considered integrated into this Workplan.

After conclusion of implementation of the work set forth in this Workplan, a Final Report will be prepared for submission to USEPA, as required under the AOC.

Schedule

The work set forth in this Workplan will be implemented according to the following schedule, unless otherwise approved by the USEPA:

Activity	Timeframe
Submission of QAPP, DQOs, and HASP	Within 20 days after the Effective Date of the AOC
Commencement of field work at the Tech Center, the Screen House and the Scale House, and commencement of piezometer installations	Within 30 days after USEPA approval of the QAPP and DQOs
Two rounds of water-level measurements	Once per week for two weeks, to begin within 7 days after the later of: – Installation and development of piezometers by Respondents – Installation and development of piezometers by USEPA and IEPA
Submit water-level measurement data, water elevation contour map, and Pit 2 reclamation area boring locations to USEPA	Within 14 days after collection of the first round of water-level measurements
Commencement of borings at Pit 2 reclamation area	Within 14 days after USEPA approval of boring locations
Final Report	Within 45 days after receipt of third-party data validation package for samples from Pit 2 reclamation area borings

Very truly yours,

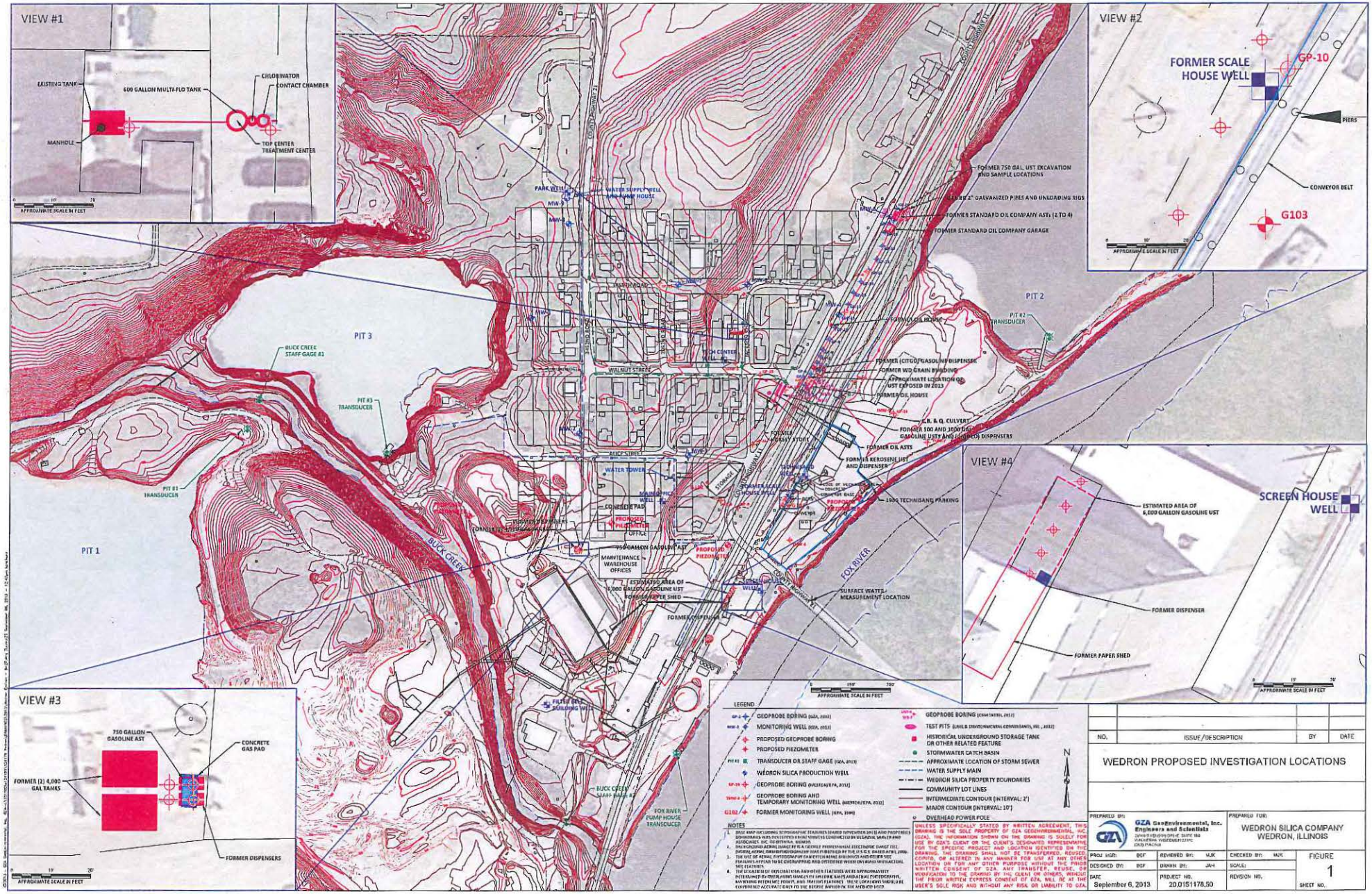
GZA GeoEnvironmental, Inc.

Bernard G. Fenelon, P.G.
Senior Project Manager

Mark J. Krumenacher, P.G
Principal

Attachments

FIGURES


VIEW #1
EXISTING TANK
600 GALLON MULTI-FLO TANK
CHLORINATOR
CONTACT CHAMBER
MANHOLE
TOP CENTER TREATMENT CENTER
APPROXIMATE SCALE IN FEET
VIEW #2
FORMER SCALE HOUSE WELL
GP-10
PIERS
CONVEYOR BELT
G103
APPROXIMATE SCALE IN FEET
VIEW #3
750 GALLON GASOLINE AST
CONCRETE GAS PAD
FORMER (2) 4,000 GAL TANKS
FORMER DISPENSERS
APPROXIMATE SCALE IN FEET
VIEW #4
ESTIMATED AREA OF 6,000 GALLON GASOLINE UST
SCREEN HOUSE WELL
FORMER DISPENSER
FORMER PAPER SHED
APPROXIMATE SCALE IN FEET
PIT 1
PIT 2
PIT 3
BUCK CREEK
FOX RIVER
BUCK CREEK STAFF GAGE #1
PIT #3 TRANSDUCER
PIT #1 TRANSDUCER
PIT #2 TRANSDUCER
BUCK CREEK STAFF GAGE #2
FOX RIVER PUMP HOUSE TRANSDUCER
PARK WELL
WATER SUPPLY WELL
MW-5
MW-1
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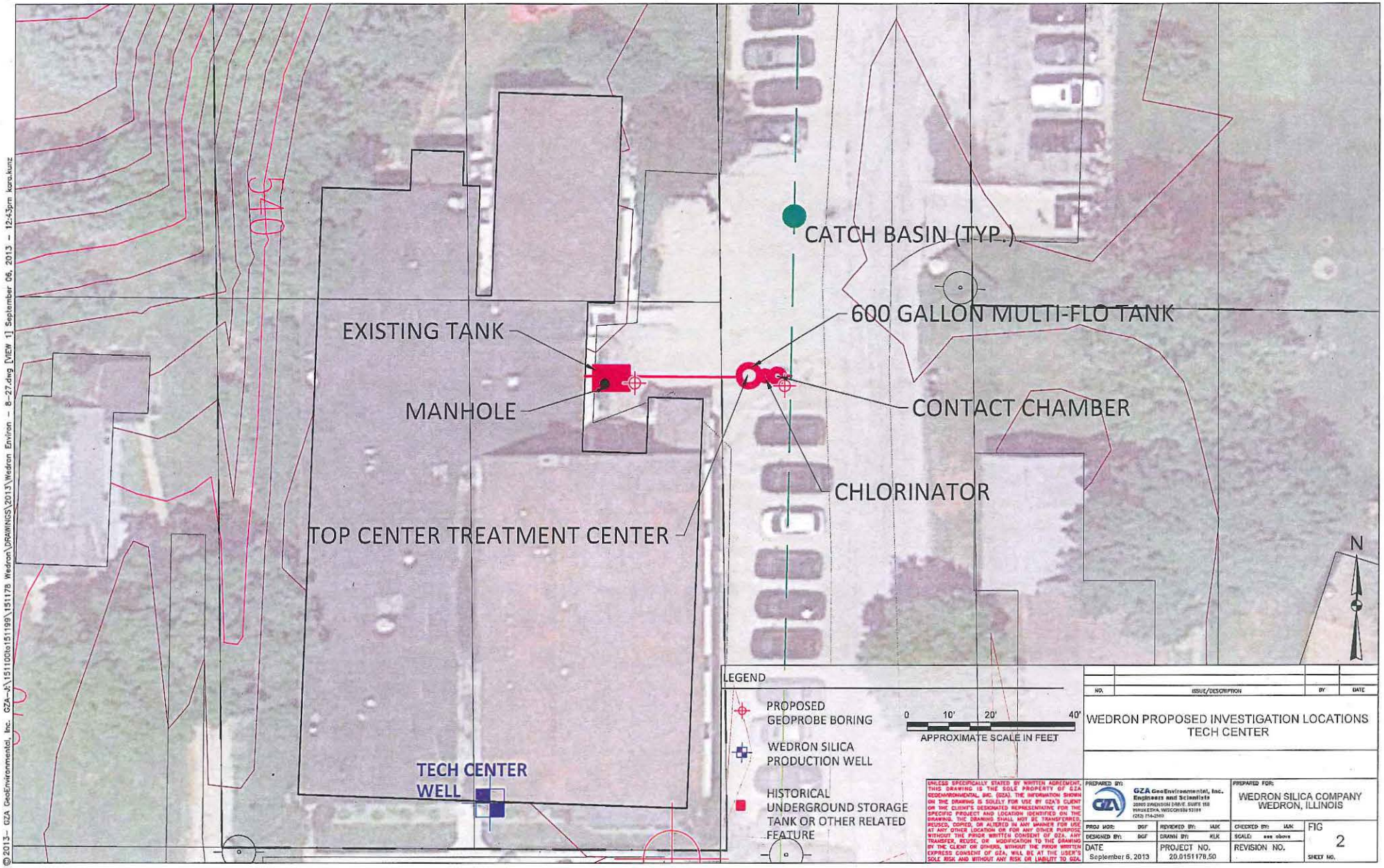

NO.	ISSUE/DESCRIPTION	BY	DATE

WEDRON PROPOSED INVESTIGATION LOCATIONS
TECH CENTER

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PROJ MGR: DGF	REVIEWED BY: MJK	CHECKED BY: MJK	FIG
DESIGNED BY: DGF	DRAWN BY: KLK	SCALE: see above	2
DATE September 6, 2013	PROJECT NO. 20.0151178.50	REVISION NO.	SHEET NO.

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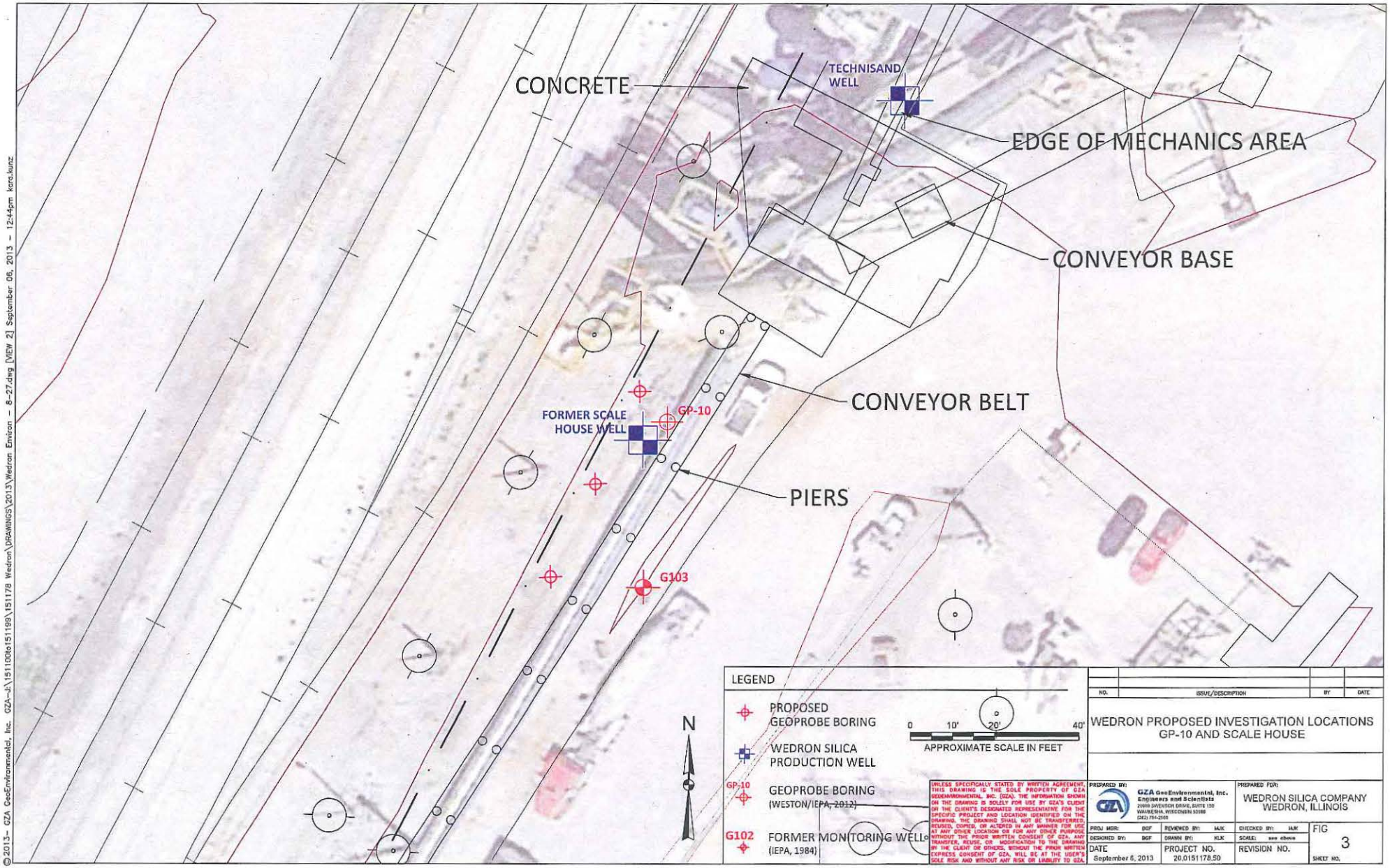

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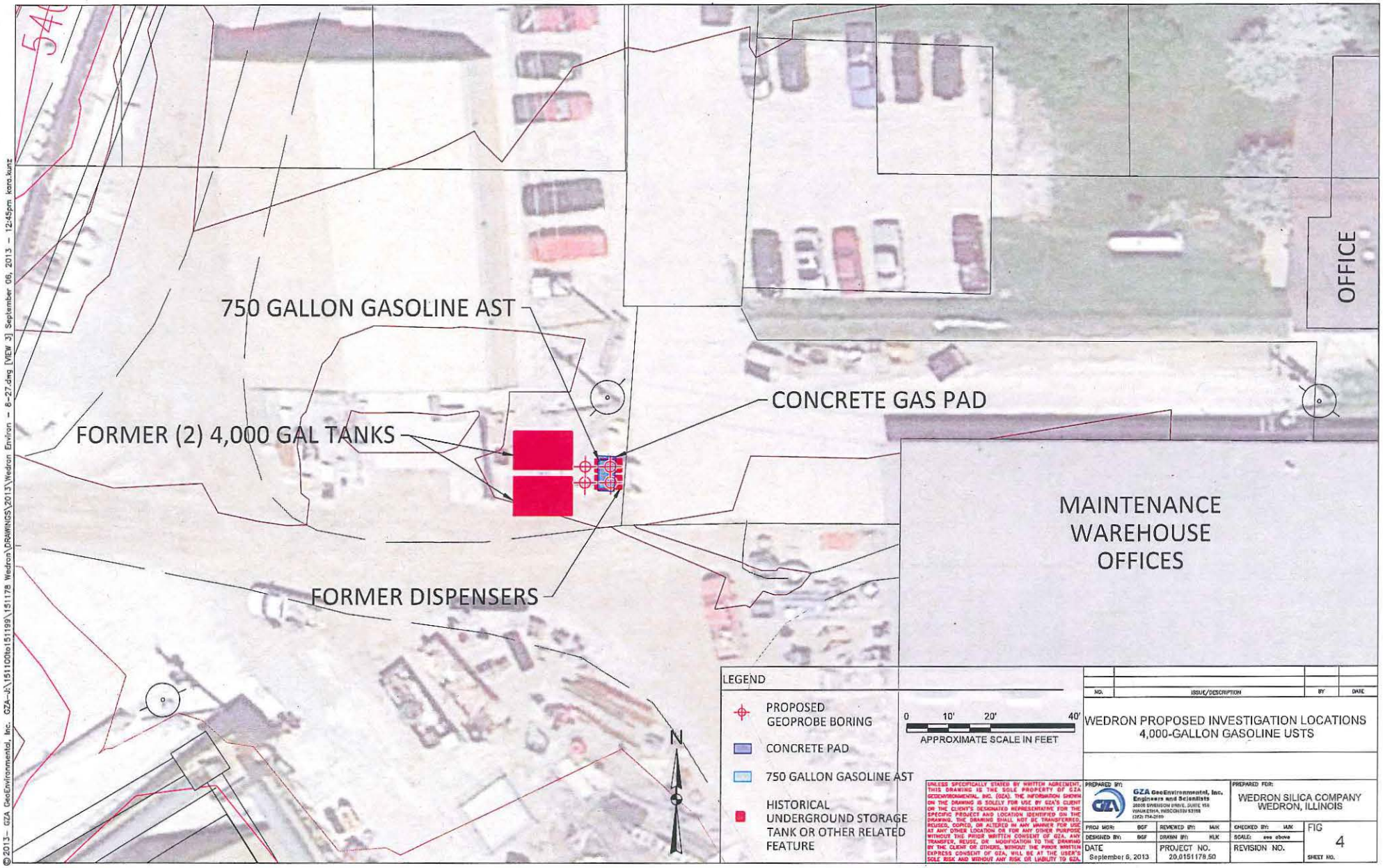

NO.	ISSUE/DESCRIPTION	BY	DATE

WEDRON PROPOSED INVESTIGATION LOCATIONS
4,000-GALLON GASOLINE USTS

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DESIGNED BY: BGF	DRAWN BY: MLK	SCALE: see above	4
DATE September 6, 2013	PROJECT NO. 20.0151178.50	REVISION NO.	SHEET NO.

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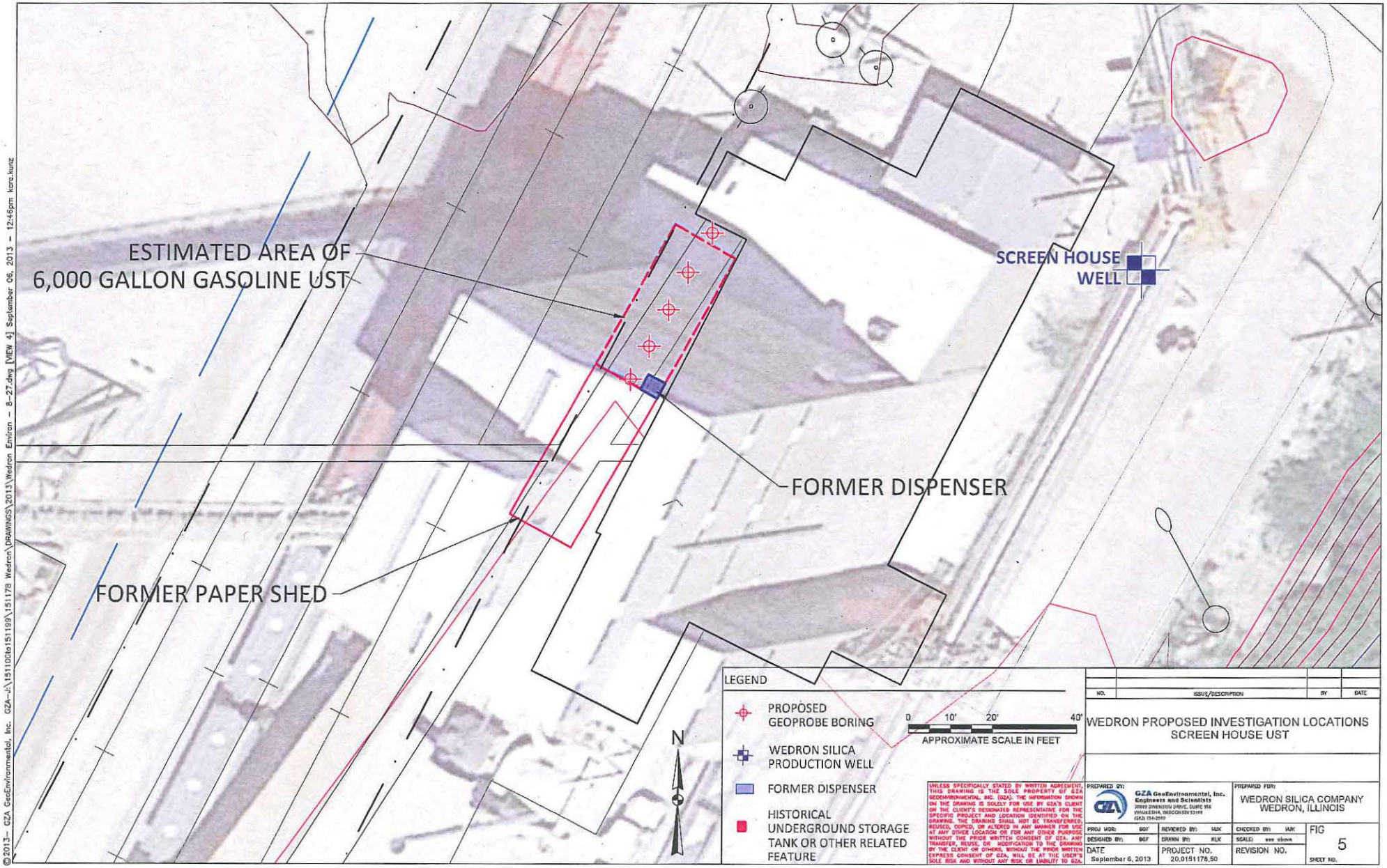

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