

140
1500

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS
CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
General of the State of Illinois, and)
ex rel. ROBERT B. BERLIN, State's)
Attorney for DuPage County, Illinois,)
)
Plaintiff,)
)
v.)
)
SPEEDWAY LLC,)
a Delaware limited liability company,)
)
Defendant.)

e-FILED
DEC 04, 2018 05:00 PM
Chris Kachur
CLERK OF THE
18TH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

No. 2017 CH 1505

CONSENT ORDER

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, and *ex rel.* ROBERT B. BERLIN, State's Attorney for DuPage County, Illinois, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), and Defendant, SPEEDWAY LLC ("Speedway" or Defendant"), (collectively "Parties to the Consent Order"), have agreed to the making of this Consent Order and submit it to this Court for approval.

I. INTRODUCTION

This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Court's entry of the Consent Order and issuance of any injunctive relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 *et seq.* (2016), alleged in the Verified Complaint except as otherwise provided herein. It is the intent of the Parties to this Consent Order that it be a final judgment on the merits of this matter.

A. Parties

1. On November 3, 2017, a Verified Complaint was filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon the request of the Illinois EPA, and Robert B. Berlin, State's Attorney for DuPage County, Illinois, pursuant to Section 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2016), against the Defendant.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2016).

3. At all times relevant to the Complaint, Defendant SPEEDWAY LLC, was and is a Delaware limited liability company registered with the Illinois Secretary of State as a foreign limited liability company with active status in Illinois, who is the operator of Speedway Gas Station No. 7445 located at 6241 South Cass Ave., Westmont, DuPage County, Illinois ("Site").

B. Allegations of Non-Compliance

Plaintiff contends that the Defendant has violated the following provisions of the Act and Board regulations:

- Count I: Substantial Danger to the Environment, Public Health and Welfare of Persons in violation of Section 43(a) of the Act, 415 ILCS 5/43(a) (2016);
- Count II: Air Pollution in violation of Section 9(a) of the Act, 415 ILCS 5/9(a) (2016);
- Count III: Water Pollution in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2016);
- Count IV: Creating a Water Pollution Hazard in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2016).

C. Non-Admission of Violations

Defendant represents that it has entered into this Consent Order for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Consent Order and complying with its terms, the Defendant does not affirmatively admit to the allegations of violation within the Complaint and this Consent Order shall not be interpreted as including any such admission.

D. Compliance Activities to Date

- 1) Speedway ceased sales of all fuel grades at the Site on October 20, 2017, all underground storage tanks ("UST") were taken out of service and the three (3) gasoline USTs were emptied. The Site's diesel and kerosene USTs were subsequently emptied;
- 2) Speedway conducted daily routine calibrated meter monitoring for Lower Explosive Limit ("LEL") of the twenty-eight (28) manhole locations identified in the Agreed Order and located along the sanitary sewer through November 10, 2017, and then weekly until November 30, 2017. Speedway's December 7, 2017 Status Report submitted to Plaintiffs presented the monitoring results. Routine monitoring of the manholes ceased based on demonstration that all LEL readings were 0%;
- 3) Throughout immediate response actions, Speedway maintained systems to recover storm water from the Speedway Site, and the contents of sanitary sewer line from the Speedway and upstream properties. Upon the absence of free product and vapors, Speedway submitted a plan to the Westmont Fire Department and Flagg Creek Water Reclamation District and, after receiving their approval, removed the recovery systems;
- 4) Speedway, through its counsel, reported to Plaintiff's counsel on the status of residences at the Knoll Wood Road Apartment Building in Willowbrook, IL, also known as The Knolls Condominium Association, that had been vacated as to when units were ready for re-occupation by residents. Construction and repairs have been completed on all units and they are ready for re-occupation. All units have been re-occupied by residents;
- 5) Speedway submitted Status Reports and a report indicating the suspected cause of the release and status of the UST system within the Agreed Order's timeframes. Speedway's submittal of the UST System Status reports ceased following the Illinois State Fire Marshal ("OSFM") issuing a passing inspection of the newly installed UST system at the Speedway Site. Speedway's new UST system was installed, received necessary regulatory approvals, re-opened in April 2018;

People v. Speedway, DuPage County, 2017 CH 1505

- 6) The removal of the Site's UST system was completed by November 17, 2017 as documented in the UST Removal Notification which Speedway submitted on November 20, 2017. Speedway submitted the OSFM Site Assessment Results report on November 22, 2017 via the OSFM website, and via email to Steve Putrich, IEPA, on November 27, 2017 within forty-five days after removal of the UST system;
- 7) Speedway conducted sampling of monitoring wells MW-13, MW-17, MW-20, MW-21, MW-24, MW-26, MW-27, MW-28, MW-29, MW-30, MW-31, MW-32, MP-01, MP-02, and the interceptor trench; and Speedway completed photoionization detector ("PID") monitoring of the required manholes and storm system locations weekly for four weeks following receipt of the Agreed Order. Sampling of these monitoring wells and monitoring of manholes and storm system locations are currently being completed by Speedway on a quarterly basis and Speedway has submitted the results in quarterly reports submitted to IEPA;
- 8) On October 16, 2018, Defendant submitted to the Illinois EPA a Site Investigation Completion Report pursuant to 35 Ill. Adm. Code 734.325(c) and 734.330; and
- 9) Speedway has operated in accordance with the regulatory requirements and timeframes set forth in the applicable sections of 35 Ill. Administrative Code 734, including submission of the following: 20-Day Certification; 45-Day Report; Free Product Recovery Report; and Stage 3 Site Investigation Plan. Speedway submitted each report or plan within the corresponding regulatory timeframes.

II. APPLICABILITY

1. This Consent Order shall apply to and be binding upon the Parties to the Consent Order. The Defendant waives as a defense to any enforcement action taken pursuant to this Consent Order the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Consent Order. This Consent Order may be used against the Defendant in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2016).

People v. Speedway, DuPage County, 2017 CH 1505

2. No change in ownership, corporate status or operator of the facility shall in any way alter the responsibilities of the Defendant under this Consent Order. In the event that the Defendant proposes to sell or transfer any real property or operations subject to this Consent Order, the Defendant shall notify the Plaintiff thirty (30) calendar days prior to the conveyance of title, ownership or other interest, including a leasehold interest in the facility or a portion thereof. The Defendant shall make as a condition of any such sale or transfer, that the purchaser or successor provide to Defendant Site access and all cooperation necessary for Defendant to perform to completion any compliance obligation(s) required by this Consent Order. The Defendant shall provide a copy of this Consent Order to any such successor in interest and the Defendant shall continue to be bound by and remain liable for performance of all obligations under this Consent Order. In appropriate circumstances, however, the Defendant and a proposed purchaser or operator of the facility may jointly request, and the Plaintiff, in its discretion, may consider modification of this Consent Order to obligate the proposed purchaser or operator to carry out future requirements of this Consent Order in place of, or in addition to, the Defendant. This provision does not relieve the Defendant from compliance with any regulatory requirement regarding notice and transfer of applicable facility permits.

III. JUDGMENT ORDER

This Court has jurisdiction of the subject matter herein and of the Parties to the Consent Order and, having considered the stipulated facts and being advised in the premises, finds the following relief appropriate:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

A. Civil Penalty

1. The Defendant shall pay a civil penalty of Seventy-Five Thousand Dollars

People v. Speedway, DuPage County, 2017 CH 1505

(\$75,000.00). Payment shall be tendered at the time of entry of the Consent Order.

2. The civil penalty payment shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF").

3. The case name and case number shall appear on the face of the certified check or money order.

B. Stipulated Penalties, Interest and Default

1. If the Defendant fails to complete any activity or fails to comply with any response or reporting requirement by the date specified in this Consent Order, the Defendant shall provide notice to the Plaintiff of each failure to comply with this Consent Order and shall pay stipulated penalties in the amount of \$400.00 per day per violation for up to the first fifteen (15) days of violation, \$500.00 per day per violation for the next fifteen (15) days of violation, and \$1,000.00 per day per violation thereafter until such time that compliance is achieved. The Plaintiff may make a demand for stipulated penalties upon the Defendant for its noncompliance with this Consent Order. However, failure by the Plaintiff to make this demand shall not relieve the Defendant of the obligation to pay stipulated penalties. All stipulated penalties shall be payable within thirty (30) calendar days of the date the Defendant knows or should have known of its noncompliance with any provision of this Consent Order.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Defendant not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

3. The stipulated penalties shall be enforceable by the Plaintiff and shall be in

People v. Speedway, DuPage County, 2017 CH 1505

addition to, and shall not preclude the use of, any other remedies or sanctions arising from the failure to comply with this Consent Order.

C. Stipulated Penalty and Interest Payment Procedures

1. All payments required by Section III.B of this Consent Order shall be made by certified check or money order payable to the Illinois EPA for deposit into the EPTF. Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency
Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Ellen F. O'Laughlin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

D. Future Compliance

1. Within thirty (30) days after Speedway receives written notice of Illinois EPA approval of the Site Investigation Completion Report, the Defendant shall submit a Corrective Action Plan with a proposed schedule to the Illinois EPA, for review and approval, pursuant to 35 Ill. Adm. 734.335.

2. Upon Illinois EPA approval of a Corrective Action Plan, the Defendant shall implement the plan in accordance with the approved schedule.

People v. Speedway, DuPage County, 2017 CH 1505

3. If the Illinois EPA disapproves of any report or other information submitted pursuant to this Section, or requests any revisions thereto, Defendant shall, within 30 days after receiving written notice of disapproval or request for revisions, or within such longer time period approved by Illinois EPA in writing, submit a revised report or other information that addresses the Illinois EPA's reasons for disapproval or includes the requested revisions. The Defendant shall continue to address any deficiencies noted by the Illinois EPA in this manner until the report or other information is approved by Illinois EPA.

4. The Defendant shall investigate on and off-site soil, surface water, and groundwater impacts that may have been caused by the leaking underground storage tanks (LUST), and propose and perform appropriate remedial actions pursuant to Board UST Regulations, 35 Ill. Adm. Code Part 734, or as requested by Illinois EPA. The Defendant shall timely submit plans, budgets, reports or other information as required by Illinois EPA decision letters or other correspondence that approve, approve with modifications or reject underlying submittals from the Defendant until such time that a No Further Remediation letter is issued and recorded for this release.

5. The Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, shall have the right of entry into and upon the Defendant's Site which is the subject of this Consent Order, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

6. This Consent Order in no way affects the responsibilities of the Defendant to comply with any other federal, state or local laws or regulations, including but not limited to the

People v. Speedway, DuPage County, 2017 CH 1505

Act and the Board Regulations.

7. The Defendant shall cease and desist from future violations of the Act and Board Regulations at the Site that were the subject matter of the Complaint.

E. Relief as to DuPage County

1. Within 30 days of entry of the Consent Order, Speedway shall reimburse the County of DuPage ("County") Three Thousand Dollars (\$3,000.00) for the County of DuPage's past attorney's fees for its Special Assistant State's Attorney, outside environmental counsel.

2. Speedway will diligently pursue a Highway Authority Benefits Agreement ("HABA"). Speedway shall enter into a HABA with the County of DuPage or demonstrate to the County, that currently in the Cass Avenue right-of-way, is "uncontaminated soil" pursuant to 35 Ill. Adm. Code 1100.605 ("Maximum Allowable Concentrations for Chemical Constituents in Uncontaminated Soils") for the following contaminants: Benzene, Toluene, Ethylbenzene, Total Xylenes (BTEX), methyl tertiary-butyl ether (MTBE) and Polynuclear Aromatics (PNAs), and that no such contaminants of concern from the Site will migrate toward Cass Avenue.

F. Force Majeure

1. *Force majeure* is an event arising solely beyond the control of the Defendant, which prevents the timely performance of any of the requirements of this Consent Order and shall include, but is not limited to, events such as floods, fires, tornadoes, other natural disasters, and labor disputes beyond the reasonable control of the Defendant. An increase in costs associated with implementing any requirement of this Consent Order shall not, by itself, excuse the Defendant for a failure to comply with such a requirement.

2. When a *force majeure* event occurs which causes or may cause a delay in the performance of any of the requirements of this Consent Order, the Defendant shall orally notify

People v. Speedway, DuPage County, 2017 CH 1505

the Illinois EPA, Steve Putrich at 217-524-4827 within forty-eight (48) hours of the occurrence. Written notice shall be given to the Plaintiff's representatives as listed in Section III.I of this Consent Order as soon as practicable, but no later than ten (10) calendar days after the claimed occurrence. This section shall be of no effect as to the particular event involved if the Defendant fails to comply with these notice requirements.

3. Within ten (10) calendar days of receipt of any written *force majeure* notice, the Plaintiff shall respond in writing regarding the Defendant's claim of a delay or impediment to performance. If the Plaintiff agrees that the delay or impediment to performance has been or will be caused by circumstances beyond the control of the Defendant and that the Defendant could not have prevented the delay by the exercise of due diligence, the parties shall stipulate to an extension of the required deadline(s) for all requirement(s) affected by the delay, by a period equivalent to the delay actually caused by such circumstances. Such stipulation may be filed as a modification to this Consent Order. The Defendant shall not be liable for stipulated penalties for the period of any such stipulated extension.

4. If the Plaintiff does not accept the Defendant's claim of a *force majeure* event, the Defendant must file a petition with the Court within twenty (20) calendar days of receipt of the Plaintiff's determination in order to contest the imposition of stipulated penalties. The Plaintiff shall have twenty (20) calendar days to file its response to said petition. The burden of proof of establishing that a *force majeure* event prevented the timely performance shall be upon the Defendant. If this Court determines that the delay or impediment to performance has been or will be caused by circumstances solely beyond the control of the Defendant and that the Defendant could not have prevented the delay by the exercise of due diligence, the Defendant shall be excused as to that event (including any imposition of stipulated penalties), for all requirements

People v. Speedway, DuPage County, 2017 CH 1505

affected by the delay, for a period of time equivalent to the delay or such other period as may be determined by this Court.

G. Enforcement and Modification of Consent Order

1. This Consent Order is a binding and enforceable order of this Court. This Court shall retain jurisdiction of this matter and shall consider any motion by any party for the purposes of interpreting and enforcing the terms and conditions of this Consent Order. The Defendant agrees that notice of any subsequent proceeding to enforce this Consent Order may be made by mail and waives any requirement of service of process.

2. The Parties to the Consent Order may, by mutual written consent, extend any compliance dates or modify the terms of this Consent Order without leave of this Court. A request for any modification shall be made in writing and submitted to the representatives designated in Section III.H of this Consent Order. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Consent Order. Any such agreed modification shall be in writing and signed by authorized representatives of each party, for filing and incorporation by reference into this Consent Order.

H. Dispute Resolution

1. Except as provided herein, the Parties to the Consent Order may seek to informally resolve disputes arising under this Consent Order, including but not limited to the Illinois EPA's decision regarding appropriate or necessary response activity, approval or denial of any report, plan or remediation objective, or the Plaintiff's rejection of a request for modification or termination of the Consent Order. The Plaintiff reserves the right to seek enforcement by the Court where the Defendant has failed to satisfy any compliance deadline within this Consent Order. The following are also not subject to the dispute resolution

People v. Speedway, DuPage County, 2017 CH 1505

procedures provided by this section: a claim of *force majeure*, a failure to make any required payment and any circumstances posing a substantial danger to the environment or to the public health or welfare of persons.

2. The dispute resolution procedure must be invoked by a party through a written notice describing the nature of the dispute and the party's position with regard to such dispute. The other party shall acknowledge receipt of the notice and schedule a meeting to discuss the dispute informally not later than fourteen (14) calendar days from the receipt of such notice. These informal negotiations shall be concluded within thirty (30) calendar days from the date of the first meeting between the parties, unless the parties agree, in writing, to shorten or extend this period. The invocation of dispute resolution, in and of itself, shall not excuse compliance with any requirement, obligation or deadline contained herein, and stipulated penalties may be assessed for failure or noncompliance during the period of dispute resolution. As part of the resolution of any dispute, the Parties to the Consent Order, by agreement or by order of this Court, may extend or modify the schedule for completion of work under this Consent Order to account for the delay in the work that occurred as a result of dispute resolution.

3. In the event that the parties are unable to reach agreement during the informal negotiation period, the Plaintiff shall provide the Defendant with a written summary of its position regarding the dispute. The position advanced by the Plaintiff shall be considered binding unless, within twenty (20) calendar days of the Defendant's receipt of the written summary of the Plaintiff's position, the Defendant files a petition with this Court seeking judicial resolution of the dispute. The Plaintiff shall respond to the petition by filing the administrative record of the dispute and any argument responsive to the petition within twenty (20) calendar days of service of Defendant's petition. The administrative record of the dispute shall include the written notice

People v. Speedway, DuPage County, 2017 CH 1505

of the dispute, any responsive submittals, the Plaintiff's written summary of its position, the Defendant's petition before the Court and the Plaintiff's response to the petition. The Plaintiff's position shall be affirmed unless, based upon the administrative record, it is against the manifest weight of the evidence.

I. Notice and Submittals

Except for payments, the submittal of any notice, reports or other documents required under this Consent Order, shall be delivered to the following designated representatives:

As to the Plaintiff

Ellen F. O'Laughlin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
eolaughlin@atg.state.il.us

Lisa A. Smith
Assistant State's Attorney
DuPage County State's Attorney's Office
503 N. County Farm Road
Wheaton, Illinois 60187
(630) 407-8206
lisa.smith@dupageco.org

Michelle Ryan
Assistant Counsel, Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Michelle.Ryan@illinois.gov

Steve Putrich
LUST Project Manager
Bureau of Land
Illinois Environmental Protection Agency
1021 North Grand Avenue East

People v. Speedway, DuPage County, 2017 CH 1505

P.O. Box 19276
Springfield, Illinois 62794-9276
Steve.Putrich@illinois.gov

As to the Defendant

Speedway LLC
Corporate Manger, Environmental
500 Speedway Drive
Enon, OH 45323
jmhelms@speedway.com

Speedway LLC
Law Department, Attn: Athan Vinolus
500 Speedway Drive
Enon, OH 45323
aavinolus@speedway.com

Joe Royster
Litchfield Cavo LLP
303 West Madison, Suite 300
Chicago, IL 60606
royster@litchfieldcavo.com

J. Release from Liability

In consideration of the Defendant's payment of a Seventy-Five Thousand Dollars (\$75,000.00) penalty, its commitment to cease and desist as contained in Section III.D.7 above, and completion of all activities required hereunder, the Plaintiff releases, waives and discharges the Defendant from any further liability or penalties for the violations of the Act and Board Regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Plaintiff's Verified Complaint filed on November 3, 2017. The Plaintiff reserves, and this Consent Order is without prejudice to, all rights of the State of Illinois and County of DuPage against the Defendant with respect to all other matters, including but not limited to the following:

People v. Speedway, DuPage County, 2017 CH 1505

- a. criminal liability;
- b. liability for future violations;
- c. liability for natural resources damage arising out of the alleged violations;
- d. the Defendant's failure to satisfy the requirements of this Consent Order and
- e. liability (other than the civil penalties paid under this Consent Order) and damages for the Complaint occurrence or any other events resulting in the contamination or damage to County of DuPage property, including, but not limited to its Cass Avenue right-of-way.

Nothing in this Consent Order is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois or County of DuPage may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, other than the Defendant.

K. Execution and Entry of Consent Order

This Order shall become effective only when executed by all Parties to the Consent Order and the Court. This Order may be executed by the parties in one or more counterparts, all of which taken together shall constitute one and the same instrument. The undersigned representatives for each party certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Consent Order and to legally bind them to it.

WHEREFORE, the parties, by their representatives, enter into this Consent Order and submit it to this Court that it may be approved and entered.

AGREED:

FOR THE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

ALEC MESSINA, Director
Illinois Environmental Protection Agency

BY: Elizabeth Wallace
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: [Signature]
JOHN J. KIM
Chief Legal Counsel

DATE: 11/15/18

DATE: 11/9/18

PEOPLE OF THE STATE OF ILLINOIS
ex rel. ROBERT B. BERLIN, State's Attorney
for DuPage County, Illinois

BY: _____
Assistant State's Attorney
Printed Name: _____
Civil Division

DATE: _____

WHEREFORE, the parties, by their representatives, enter into this Consent Order and submit it to this Court that it may be approved and entered.

AGREED:

FOR THE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

ALEC MESSINA, Director
Illinois Environmental Protection Agency

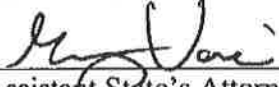
BY: _____
ELIZABETH WALLACE, Chief
Assistant Attorney General
Environmental Bureau

BY: _____
JOHN J. KIM
Chief Legal Counsel

DATE: _____

DATE: _____

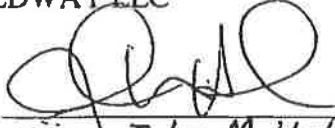
PEOPLE OF THE STATE OF ILLINOIS
ex rel. ROBERT B. BERLIN, State's Attorney
for DuPage County, Illinois

BY: 
Assistant State's Attorney
Printed Name: Gregory Vacci
Civil Division

DATE: 11/19/18

FOR THE DEFENDANT:

SPEEDWAY LLC

BY: 

Printed Name: John M. Helms

Its: Manager of Environmental Remediation
[title of signatory]



DATE: 11/16/18

ENTERED:



JUDGE

DATE: 12-4-18