



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Engineering & Public Works
Walter Denton, City Administrator
Date: June 18, 2007
Subject: RESOLUTION – Highway Authority Agreement, Former Conoco Station

List of committees that have reviewed: None

Background: The groundwater contamination from a leaking underground storage tank at the former Conoco Filling Station has migrated under the City's right-of-way (ROW) along Whitehall (east of the station site). The tank and the majority of the contamination affecting the shallow groundwater has been removed, but low levels of contamination still exist. The property owner has satisfied most of the IEPA's requirements for mitigation; however, the IEPA will not release the site from their oversight until the City signs a highway authority agreement. The soil remaining is not a threat to humans unless they were to eat it, but some civil authority must accept the responsibility of notifying utilities and others that may be working in the ROW of the contamination. The agreement when signed makes the City of O'Fallon responsible for that notification.

Legal Considerations, if any: The agreement makes the City responsible for notifying anyone doing work in the right-of-way near the intersection of Highway 50 and Whitehall that contamination of the underground soils exists.

Budget Impact: None.

Staff recommendation: Staff recommends passage of the resolution which will eventually allow redevelopment of the old Conoco site.