



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council
From: Dennis Sullivan, Director of Engineering & Public Works
Walter Denton, City Administrator
Date: April 5, 2010
Subject: RESOLUTION – Highway Authority Agreement, Former Texaco Station

List of committees that have reviewed: Public Works

Background: The groundwater contamination from a leaking underground storage tank at the former Texaco Filling Station has migrated under the City's right-of-way (ROW) along Whitehall (west of the former station site at the southeast corner of the intersection of Whitehall and Highway 50). The tank and the majority of the contamination affecting the shallow groundwater there 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: As part of the review and submittal of environmental documentation leading to this Highway Authority Agreement (HAA), the City incurred costs of \$4,403.31. Therefore, prior to the execution of the HAA, the City will require a cashier's check payable to the City for that amount.

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