

The
City
Of
Maroa



Ordinance No. 2022/05/16-2

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD FOR SPECIFIC LOCATIONS.

Adopted by the Mayor and City Council of the City of Maroa this 16th Day of May, 2022.

Published in pamphlet form by authority of the City Council of the City of Maroa, Macon County, Illinois, this 16th Day of May, 2022.

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WHEREAS, certain properties in the City of Maroa, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Maroa desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Maroa, Illinois as follows:

SECTION 1. Use of groundwater as a potable water supply prohibited.

Except for such uses or methods in existence before the effective date of this ordinance, the use or attempt to use as a potable water supply groundwater from within the area within the corporate limits of the City of Maroa shown on Exhibit A and described in Exhibit B attached hereto and made a part hereof, (hereinafter referred to as the "Groundwater Ordinance Area"), as a potable water supply, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the City of Maroa.

SECTION 2. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$750.00 for each violation.

SECTION 3. Definitions.

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

SECTION 4. Repealer.

This Ordinance shall take precedence over all ordinances or parts of ordinances in conflict with this ordinance.

SECTION 5. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

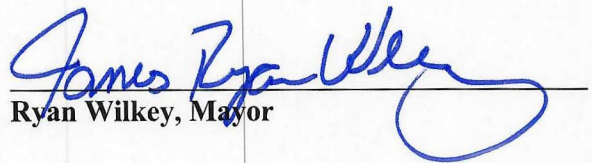
SECTION 6. Effective date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

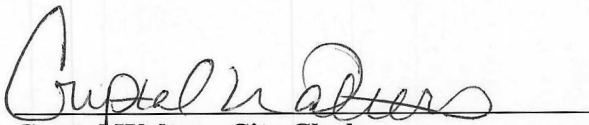
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PRESENTED, PASSED AND APPROVED, by the Mayor and City Council of the City of Maroa, Illinois, on this 16th Day of May, 2022.

NAME	AYE	NAY	ABSTAIN	ABSENT
Alderman Robert Harper				X
Alderwoman Angela Bogle	X			
Alderman Jeremiah Grider	X			
Alderman Matt Riley	X			
Alderman Blake West	X			
Alderman				
Mayor Ryan Wilkey				


Ryan Wilkey, Mayor

ATTEST:


Crystal Walters, City Clerk

Seal



STATE OF ILLINOIS)
)
COUNTY OF MACON) S.S.

Certificate

I, Crystal Walters, certify that I am the duly elected and acting City Clerk of the City of Maroa, Macon County, Illinois.

I further certify that on May 16th, 2022 the Corporate Authorities of such Municipality passed and approved

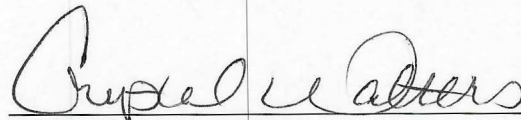
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **ORDINANCE NO. 2022/05/16-2** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on May 16th, 2022, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

Dated at Maroa, Illinois, this 16th Day of May, 2022.



Crystal Walters, City Clerk

Seal



GWC

GREEN WAVE CONSULTING, LLC

March 4, 2022

Attn: Crystal Walters, City Clerk
City of Maroa
120 South Locust Street
PO Box 136
Maroa, Illinois 61756

Re: Freedom Oil Company
101 South Wood Street, Maroa, IL 61756
IEPA Proposed Groundwater Ordinance

Dear Ms. Walters,

On behalf of Freedom Oil Company, Green Wave Consulting, LLC (GWC) respectfully requests an ordinance prohibiting the use of groundwater as a potable water supply. GWC is currently contracted with Freedom Oil Company of Bloomington, Illinois to mitigate a petroleum release from the underground storage tanks at 101 South Wood Street in Maroa. The Illinois Environmental Protection Agency (IEPA) requires Freedom Oil Company to properly address soil and groundwater contamination at the site in accordance with the Illinois Pollution Control Board regulations.

GWC has recently received approval of a Corrective Action Plan from the IEPA which proposed a limited-area groundwater ordinance to address groundwater contamination for the site. The proposed area for the groundwater ordinance area consists of portions of West Main Street, South Wood Street, south adjoining alley, and the following parcel index numbers:

10-02-10-228-008	10-02-10-228-009	10-02-10-228-010
10-02-10-231-005	10-02-10-231-006	10-02-10-231-010

Please refer to the attached documents for a site map depicting the proposed groundwater ordinance. In order for Freedom Oil Company to obtain a No Further Remediation letter from the IEPA, Freedom Oil Company needs to address the groundwater ingestion pathway. The proposed area for the limited groundwater ordinance depicts the maximum extent of potential groundwater contamination migration based upon IEPA sanctioned modeling equations.

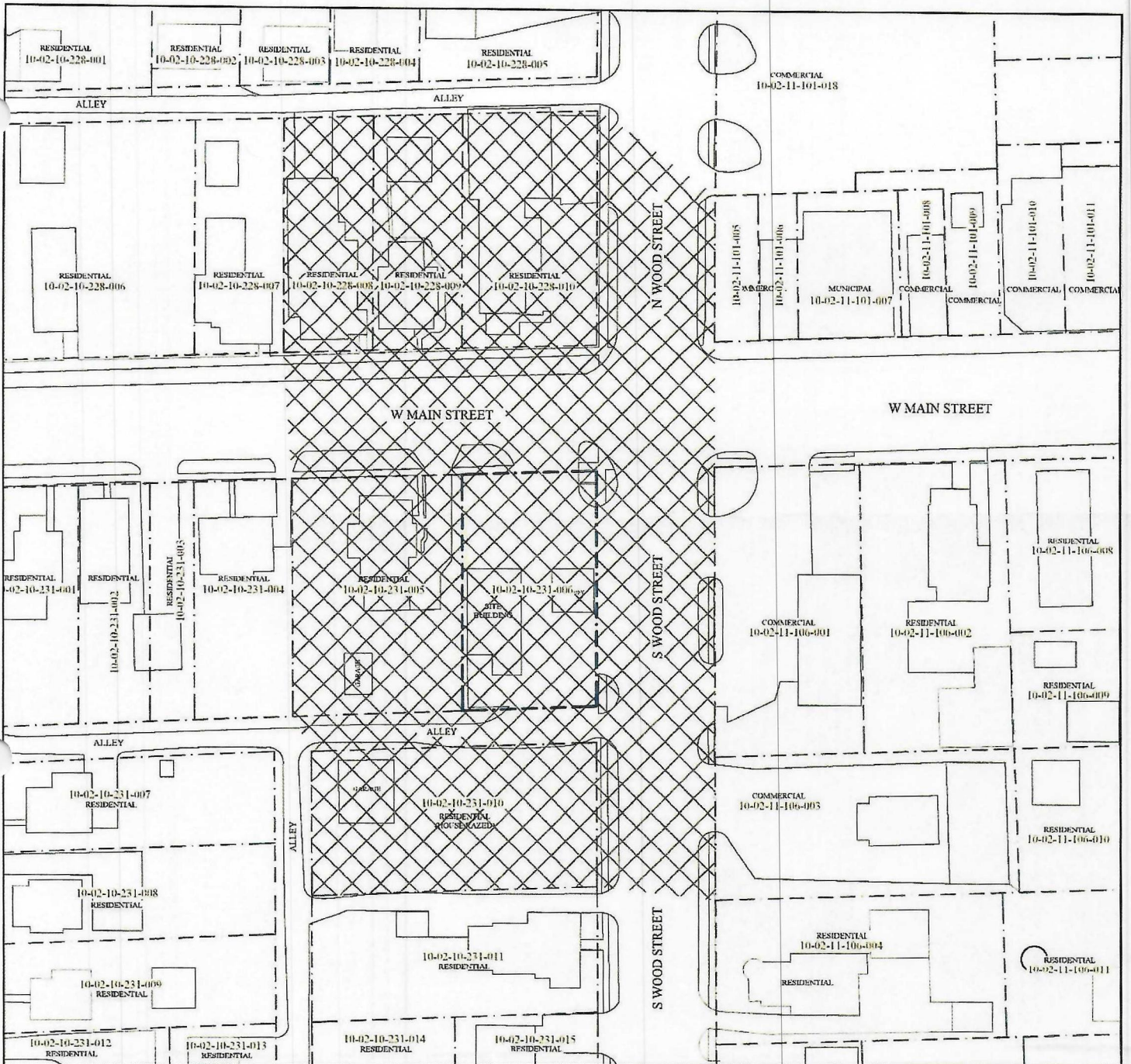
Groundwater ordinances have been proven to be a reliable method of remediating environmental contamination by protecting human health and the environment. A limited-area groundwater ordinance would prohibit the installation of potable wells in the proposed area. It is GWC opinion that the installation of a potable well in the rights-of-way of West Main Street and South Wood Street in the City of Maroa would be impractical due to traffic patterns on said streets. The attached documents also contain a draft copy of an Illinois Environmental Protection Agency model document of the requested groundwater ordinance.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at 217-726-7569 ext. 240 or by email at benc@greenwavecon.com.

Sincerely,



Ben Collette
Environmental Scientist
Green Wave Consulting, LLC

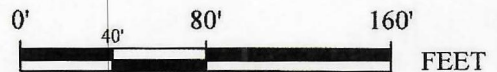


LEGEND

- PROJECT PROPERTY LINE
- - - PROPERTY / PARCEL LINE
- ##-##-##-###-### PARCEL INDEX NUMBER (PIN)



GROUNDWATER ORDINANCE AREA



1" = 80'



4440 ASH GROVE DRIVE, Suite A
Springfield, IL 62711 (217-726-7569)

GROUNDWATER ORDINANCE AREA MAP

SUBJECT SITE ADDRESS:

101 SOUTH WOOD STREET MAROA, ILLINOIS 61756

INCIDENT NO.
2003-0905

FILE NAME
FREEDOM MAROA - SAF

PREPARED WOLFE DATE 05/2021

DRAWN WOLFE DATE 05/2021

APPROVED WIENHOFF DATE 05/2021

PROJECT NO. 300 EXHIBIT A

EXHIBIT B

ORDINANCE NO. 2022/05/16-2
GROUNDWATER ORDINANCE AREA DESCRIPTION

Beginning at the Northeast corner of Parcel No. 10-02-10-228-010, on the West right-of-way line of North Wood Street, thence Southeast to the Northwest corner of Parcel No. 10-02-11-101-005, on the East right-of-way line of North Wood Street. Thence proceed Southerly along the Eastern right-of-way line of North and South Wood Street to the Southwest corner of Parcel No. 10-02-11-106-003. Thence proceed Westerly across the right-of-way of South Wood Street to the Southeastern corner of Parcel No. 10-02-10-231-010. Thence proceed Westerly to the Southwest corner of Parcel No. 10-02-231-010. Thence proceed Northerly to the Northwestern corner of Parcel No. 10-02-10-231-010. Thence proceed Northwesterly to the Southwestern corner of Parcel No. 10-02-10-231-005, on the North right-of-way line of the alley South of West Main Street. Thence proceed Northerly to the Northwest corner of Parcel No. 10-02-10-231-005. Thence proceed Northerly, across the right-of-way of West Main Street, to the Southwest corner of Parcel No. 10-02-10-228-008. Thence proceed Northerly to the Northwest corner of Parcel No. 10-02-10-228-008. Thence proceed Easterly along the South right-of-way line of the alley North of West Main Street to the Point of Beginning.