City of Naperville

Legislation Details (With Text)

File #:	18-1018	**Version:** 1		
Type:	Ordinance		**Status:**	Passed
File created:	11/21/2018		**In control:**	City Council
On agenda:	1/15/2019		**Final action:**	1/15/2019

Title: Pass the 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 within the specified limits on properties located at 1712 W. Ogden Avenue, 1508 Aurora Avenue and 1532 Aurora Avenue, Naperville, IL. 60540 including points of withdrawal by the City of Naperville

Sponsors:

Indexes:

Code sections:

Attachments: 1. Proposed Groundwater Ordinance for 1712 W. Ogden Avenue, 1508 Aurora Avenue and 1532 Aurora Avenue, 2. Copy of notification sent to Standard Market about proposed groundwater ordinance

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the 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 within the specified limits on properties located at 1712 W. Ogden Avenue, 1508 Aurora Avenue and 1532 Aurora Avenue, Naperville, IL. 60540 including points of withdrawal by the City of Naperville

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: William J. Novack, Director of TED/City Engineer

BOARD/COMMISSION REVIEW:

NA

BACKGROUND:

Numerous properties throughout the City of Naperville have been used for commercial and industrial purposes throughout the years. Certain users like gasoline stations and dry cleaners have left a large environmental impact on the community due to spills and subsequent contamination.

Many of the current property owners have been working with the Illinois Environmental Protection Agency (IEPA) to clean up their sites and obtain certification by issuance of a No Further Remediation (NFR) Letter by the IEPA. The NFR letter provides value and comfort to the property owner that the IEPA has certified that the site has been cleaned up to certain standards.

The issuance of a NFR does not mean that a property is completely cleaned-up. Most of the time the

IEPA issues NFR's for sites that still have small amounts of contamination present, they just make sure that certain other controls are in place to protect the public health. Some of those controls include engineered barriers, such as paved parking lots or concrete slabs of structures. Another common control is a restrictive groundwater ordinance. The groundwater ordinance prohibits the use of wells for any source of potable water within the area of contamination as determined by the IEPA.

The City receives many requests for these groundwater ordinances. We tell all the petitioners that they need to clean their site up and get to the point where the groundwater ordinance is one of the last items on their task list with the IEPA.

DISCUSSION:

The Speedway gas station at 1712 W. Ogden Avenue is one of these sites. The owner and their consultant have worked with the IEPA and the groundwater ordinance is one of the last tasks that remain. The groundwater ordinance affects their parcel and the adjacent parcel to the east, the Standard Market of Naperville site. Attached is a copy of the notification that was sent to the Standard Market property owner regarding this proposed groundwater ordinance. Neither the gas station nor Standard Market have any wells on their sites nor would the City of Naperville allow any wells to be drilled. These proposed groundwater controls will not have a negative impact on either of the properties.

Passing this ordinance is a positive action by the City of Naperville, allowing the Speedway site to obtain an NFR and improve their value, and demonstrating to other property owners the City's willingness to work with our property owners to remediate any environmental impacts on their properties.

FISCAL IMPACT:
None