

UNOFFICIAL COPY 00939586

7624/0087 53 001 Page 1 of 9
2000-11-30 14:14:30
Cook County Recorder 37.50

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PREPARED BY:



Name: Ace Rent A Car
Attn: Dick Radzis

Address: 2985 Mannheim Road
Des Plaines, Illinois 60018

RETURN TO:

Name: Ace Rent A Car
Attn: Dick Radzis

Address: 2985 Mannheim Road
Des Plaines, Illinois 60018



THE ABOVE SPACE FOR RECORDER'S OFFICE

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK(S) ASSOCIATED WITH THE RELEASE REFERENCED BELOW, WITHIN 45 DAYS OF RECEIVING THE NO FURTHER REMEDIATION LETTER CONTAINING THIS NOTICE, MUST SUBMIT THIS NOTICE AND THE REMAINDER OF THE NO FURTHER REMEDIATION LETTER TO THE OFFICE OF THE RECORDER OR REGISTRAR OF TITLES OF COOK COUNTY IN WHICH THE SITE DESCRIBED BELOW IS LOCATED.

Illinois EPA Number: 0310635239
LUST Incident No.: 903055

Dick Radzis, the owner and operator of the leaking underground storage tank(s) associated with the above-referenced incident, whose address is 2985 Mannheim Road, Des Plaines, Illinois, has performed investigative and/or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal description or Reference to a Plat Showing the Boundaries: See Attachment
2. Common Address: 2985 Mannheim Road, Des Plaines, Illinois
3. Real Estate Tax Index/Parcel Index Number: 09-33-305-013 & 014
4. Site Owner: Dick Radzis
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.

Leaking Underground Storage Tank Environmental Notice

DONE AT CUSTOMER'S REQUEST

"THE SIGNATURES OF THE PARTIES EXECUTING THIS DOCUMENT ARE COPIES AND ARE NOT ORIGINAL SIGNATURES."

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6. See the attached No Further Remediation Letter for other terms.

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Illinois Environmental Protection Agency
Leaking Underground Storage Tank Program

Attachment - Section D. Site Description

IEMA Incident # 903055
IEPA LPC # 0310635239

ACE Rent A Car
2985 Mannheim Road
Des Plaines, IL

Legal Description of Site:

The North 402.25 feet of the West 291.24 feet of that part of the West 714 chains lying South of the North 703.60 feet and North of Higgins Creek and lying Southwesterly of the Southwesterly line of the Northwest Tollway of the Southwest Quarter of Section 33, Township 41 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois.

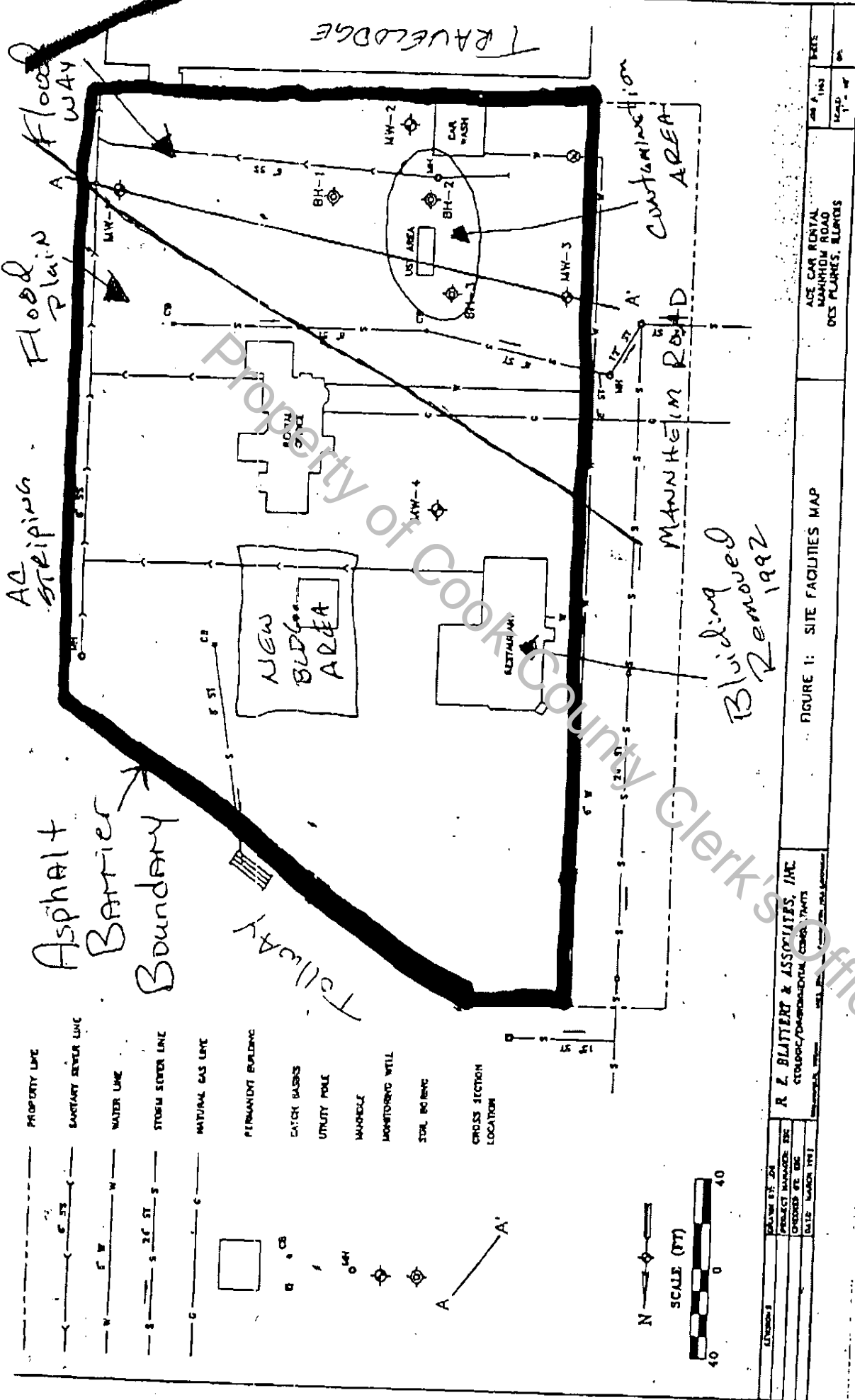
RECEIVED

AUG 31 2000

IEPA/BOL

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<p>ACE CAR RENTAL MANHATTAN ROAD OCE PLAIN, ILLINOIS</p>		<p>DATE: 11/27/00</p>
<p>FIGURE 1: SITE FACILITIES MAP</p>		<p>SCALE: 1" = 40'</p>
<p>R. Z. BLATTERT & ASSOCIATES, INC. CIVIL/MECHANICAL/ENVIRONMENTAL ENGINEERS</p>		<p>DATE: 11/27/00</p>
<p>PROJECT MANAGER: ERE</p>	<p>DRAWN BY: JKH</p>	<p>DATE: 11/27/00</p>
<p>CHECKED BY: ERE</p>	<p>DATE: 11/27/00</p>	

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UNOFFICIAL COPY*Rec'd 10-20-00
Dick Radz*

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/524-9140

CERTIFIED MAIL

001 1273 9650

OCT 16 2000

00939586

Ace Rent A Car
Attn: Dick Radzis
2985 Mannheim Road
Des Plaines, Illinois 60018

Re: LPC #0310635239 -- Cook County
Des Plaines/ Ace Rent A Car
2985 Mannheim Road
LUST Incident No. 903055
LUST Technical File

Dear Mr. Radzis:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information is dated August 29, 2000; was received by the Illinois EPA August 31, 2000; and was prepared by Mark S. Rurka. Citations in this letter are from the Environmental Protection Act ("Act") and 35 Illinois Administrative Code ("35 IAC").

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 IAC Part 731 indicate remediation has been successfully completed.

Based upon the certification by Mark S. Rurka, a Registered Professional Engineer of Illinois, and based upon other information in the Illinois EPA's possession, your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter ("Letter"), based on the certification of the Registered Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. This Letter shall apply in favor of the following persons:

GEORGE H. RYAN, GOVERNOR

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1. Dick Radzis;
2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
4. Any co-owner or co-operator, either by joint-tenancy, right of survivorship, or any other party sharing a legal relationship with the owner or operator to whom the letter is issued;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest; or
9. Any heir or devisee of such owner or operator.

This Letter, and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located. This Letter shall not be effective until officially recorded by the Office of the Recorder or Registrar of Titles of the applicable County in accordance with Illinois law so it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA. For recording purposes, it is recommended that the Leaking Underground Storage Tank Environmental Notice of this Letter be the first page of the instrument filed.

CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 IAC Part 742) rules.

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2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: The groundwater under the site shall not be used as a potable water supply.
3. The land use limitation specified in this Letter may be revised if:
 - a) Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b) A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE ENGINEERING AND INSTITUTIONAL CONTROLS

4. Preventive: Prior to commencement of any future excavation and/or construction in or near the contaminated zone on the remediation site, a safety plan for this remediation site is required that is consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; OSHA regulations, particularly in 29 CFR 1910 and 1926; state and local regulations; and other U.S. EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.

The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water. No person shall construct, install, maintain or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.

Engineering: A building or asphalt/concrete barrier that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media as well as to impede contaminant migration to the groundwater must remain over the contaminated soils. This building or asphalt/concrete barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media as well as impede contaminant migration to the groundwater.

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Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this letter.

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved corrective action plan may result in avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater removed, or excavated from, or disturbed at the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Bureau of Land - #24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

8. Should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the owner or operator of the leaking underground storage tank(s) associated with the above referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance of this Letter include, but shall not be limited to:
- a) Any violation of institutional controls or industrial/commercial land use restrictions;
 - b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
 - c) The disturbance or removal of contamination that has been left in place in accordance with the Corrective Action Plan or Completion Report;
 - d) The failure to comply with the recording requirements for the Letter;

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- e) Obtaining the Letter by fraud or misrepresentation; or
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit the certified copy of this letter, as recorded, to:

Illinois Environmental Protection Agency
 Bureau of Land - #24
 LUST Section
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, Illinois 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, James R. Malcom III, at 217/524-9140.

Sincerely,

Kendra N. Brockamp

Kendra Brockamp
 Unit Manager
 Leaking Underground Storage Tank Section
 Division of Remediation Management
 Bureau of Land

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: Division File

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