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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

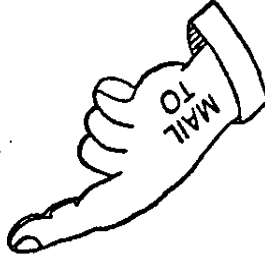


1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

217/782-6762

THOMAS V. SKINNER, DIRECTOR

FEB 24 2000



CERTIFIED MAIL
P344 340522

Equilon Enterprises, LLC
Attn: Lisa Schoedel
603 Diehl Road, Suite 103
Naperville, Illinois 60563

00167661

3113/0009 15 005 Page 1 of 5
2000-03-09 09:46:12
Cook County Recorder 29.00

Re: LPC # 0316245069 - Cook County
Chicago/Shell Oil (WIC# 212-1544-3702)
1600 North Western Avenue
LUST Incident No. 900407
LUST Technical File

COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
ROLLING MEADOWS

Dear Ms. Schoedel:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated November 2, 1998 and December 28, 1999; was received by the Illinois EPA November 5, 1998 and January 3, 2000; and was prepared by Handex Environmental.

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

Based upon the certification by Richard L. Coan, 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:

1. Equilon Enterprises, LLC;
2. The owner and operator of the UST(s);

GEORGE H. RYAN, GOVERNOR

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nm
9/4

PREPARED BY:

Name: Equilon Enterprises, LLC
Attn: Lisa Schoedel

Address: 1600 North Western Avenue
Chicago, Illinois 60647

RETURN TO:

Name: Equilon Enterprises, LLC
Attn: Lisa Schoedel

Address: 603 Diehl Road, Suite 103
Naperville, Illinois 60563

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE OWNER/OPERATOR, WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: 0316245069

LUST Incident No.: 900407

Equilon Enterprises, LLC, the owner and operator, whose address is 603 Diehl Road, Suite 103, Naperville, Illinois 60563, has performed investigative and/or remedial activities for the site that can be identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: Parcel 1: Lot 19 in Roundtree and Hayes Subdivision of the East 1/2 of Block 8 in Johnston's Subdivision of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 36, Township 40 North, Range 13, East of the 3rd PM (except that part of Lot 19 heretofore conveyed to the City of Chicago by Deed recorded as document 10733514 described as that part of Lot 19, lying East of a line 50 feet West of and parallel with the East line of said Section 36, in Cook County, Illinois together with the tenements and appurtenances thereunto belonging. Parcel 2: Lot 23 in Roundtree and Hayes Subdivision of the East 1/2 of Block 8 in Johnston's Subdivision of the East 1/2 of the Southeast Quarter of Section 36, Township 40 North, Range 13, East of the 3rd P.M. in Cook County, Illinois. Subject to general taxes for the year 1965 and to zoning and building lines, ordinances and restrictions of record. Parcel 3: Lots 20 & 22 in Roundtree and Hayes Subdivision of the East 1/2 of Block 8 in Johnston's Subdivision of the East 1/2 of the Southeast 1/4 of Section 36, Township 40 North, Range 13, East of the 3rd PM in Cook County, Illinois. Parcel 4: Lot 21 in Roundtree and Hayes Subdivision of the East 1/2 of Block 8 in Johnston's Subdivision of the East 1/2 of the Southeast 1/4 of Section 36, Township 40 North, Range 13, East of the 3rd PM in Cook County, Illinois.
2. Common Address: 1600 North Western Avenue, Chicago, Illinois 60647.
3. Real Estate Tax Index/Parcel Index Number: 13-36-432-045.
4. Site Owner: Equilon Enterprises, LLC.
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.
6. See NFR letter for other terms.

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

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, including all attachments, 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 that it forms a permanent part of the chain of title for the above-referenced property. Within 30 days of this Letter being recorded by the Office of the Recorder or Registrar of Titles of the applicable county, 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 attached to 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 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 (TACO, 35 Illinois Administrative Code Part 742) rules.
2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the site 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: None.

Engineering: None

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the site described in the attached Leaking Underground Storage Tank Environmental Notice.

Illinois Department of Transportation agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater or soils to remain beneath its highway right-of-way as indicated in the Highway Authority Agreement. The Highway Authority agrees (a) not to allow the use of that contaminated groundwater as a potable or other domestic supply of water, and (b) to limit access to soil contaminated under the highway right-of-way.

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

OTHER TERMS

- 6. Any contaminated soil or groundwater that is removed, excavated, or disturbed from the above-referenced site must be handled in accordance with all applicable laws and regulations.
- 7. Further information regarding this site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Freedom of Information BOL #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 current title holder and to the owner and/or operator at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance 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;
- 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
LUST Section #24
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, Valerie Davis, at the above number.

Sincerely,

Clifford L. Wheeler

Clifford L. Wheeler
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

CLW:vad

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: Handex
Chicago DOE
Division File