

PREPARED BY:

Name: Kera Lite Oil



Address: 2945 South Harlem Avenue  
Berwyn, Illinois 60402

RETURN TO:

Name: Kera Lite Oil

Address: 7916 Arcadia  
Morton Grove, Illinois 60053

THE ABOVE SPACE FOR RECORDER'S OFFICE

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEMS 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 #: 0310215048  
LUST Incident #: 20011855

Kera Lite Oil, the owner and operator of the leaking underground storage tank systems associated with the above-referenced incident, whose address is 7916 Arcadia, Morton Grove, Illinois 60053, 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: Please refer to Attachment 1.
2. Common Address: 2945 South Harlem Avenue, Berwyn, Illinois 60402.
3. Real Estate Tax Index/Parcel Index #: Please refer to Attachment 1.
4. Site Owner: Please refer to Attachment 1.
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

RENEE CIPRIANO, DIRECTOR

217-782-6762

CERTIFIED MAIL

7001-2510-0002-3281-795

JUN 14 2002

Kera Lite Oil  
Attention: Emanuel Joseph  
7916 Arcadia  
Morton Grove, Illinois 60053

RE: LPC 0310215048 - Cook County  
Berwyn - Kera Lite Oil  
2945 South Harlem Avenue  
LUST Incident 2001165  
LUST TECHNICAL FILE

0020720843

Dear Mr. Joseph:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the December 13, 2001 Corrective Action Completion Report and supplementary correspondence submitted for the above-referenced incident. This information was prepared by Adept Environmental Solutions. 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 Section 732.300(b) and Section 732.409(b) indicate the remediation objectives set forth in 35 IAC Section 732.408 have been met.

Based upon the certification by David G. Yacko, a Registered Professional Engineer of Illinois (062-037001), and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), 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. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following persons:

GEORGE H. RYAN, GOVERNOR

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1. Kera Lite Oil;
2. The owner and operator of the underground storage tank systems;
3. Any parent corporation or subsidiary of the owner or operator of the underground storage tank systems;
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 or marriage, settlement or adjudication of any civil action, charitable gift, or bequest; or
9. Any heir or devisee of such owner or operator.

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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 systems 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: There are no land use limitations.
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 above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this letter.

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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 under 35 IAC Subtitle G.
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

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8. Pursuant to Section 57.10(e) of the Act (415 ILCS 5/57.10(e)) and 35 IAC Section 732.704, 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 systems associated with the above-referenced incident and the current title holder of the real estate on which the underground storage tank systems were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. 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 **0020720843**
  - 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
9. a. Leaking Underground Storage Tank Incident 20011855 applies to the reported release from the following underground storage tank systems:
- i. 1-2,000 gallon diesel fuel underground storage tank system.
  - b. The indicator contaminants for Leaking Underground Storage Tank Incident 20011855 were as follows: BETX and PNAs.

An underground storage tank system owner/operator may appeal this decision to the Illinois Pollution Control Board. Appeal rights are explained in Attachment 2.

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

Illinois Environmental Protection Agency  
Bureau of Land - #24  
Division of Remediation Management  
Leaking Underground Storage Tank Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

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Any questions regarding this letter should be directed to Michael Piggush via phone (217-782-3101), fax (217-524-4193), or e-mail (epa4200@epa.state.il.us).

Sincerely,



Michael T. Lowder  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

Attachments (3):

1. Site Information.
2. Appeal Rights.
3. Leaking Underground Storage Tank Environmental Notice.

cc: Adept Environmental Solutions  
Division File

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ATTACHMENT 1

SITE INFORMATION

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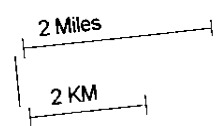
20720843



Town: Berwyn  
 Region: Cook County  
 State: IL  
 ZIP Code in area:  
 60402

**SITE LOCATION**  
**KERA LITE OIL**  
 2945 South Harlem Avenue  
 Berwyn, Illinois

Mag 12.00  
 Mon Nov 19 08:58 2001  
 Scale 1:125,000 (at center)

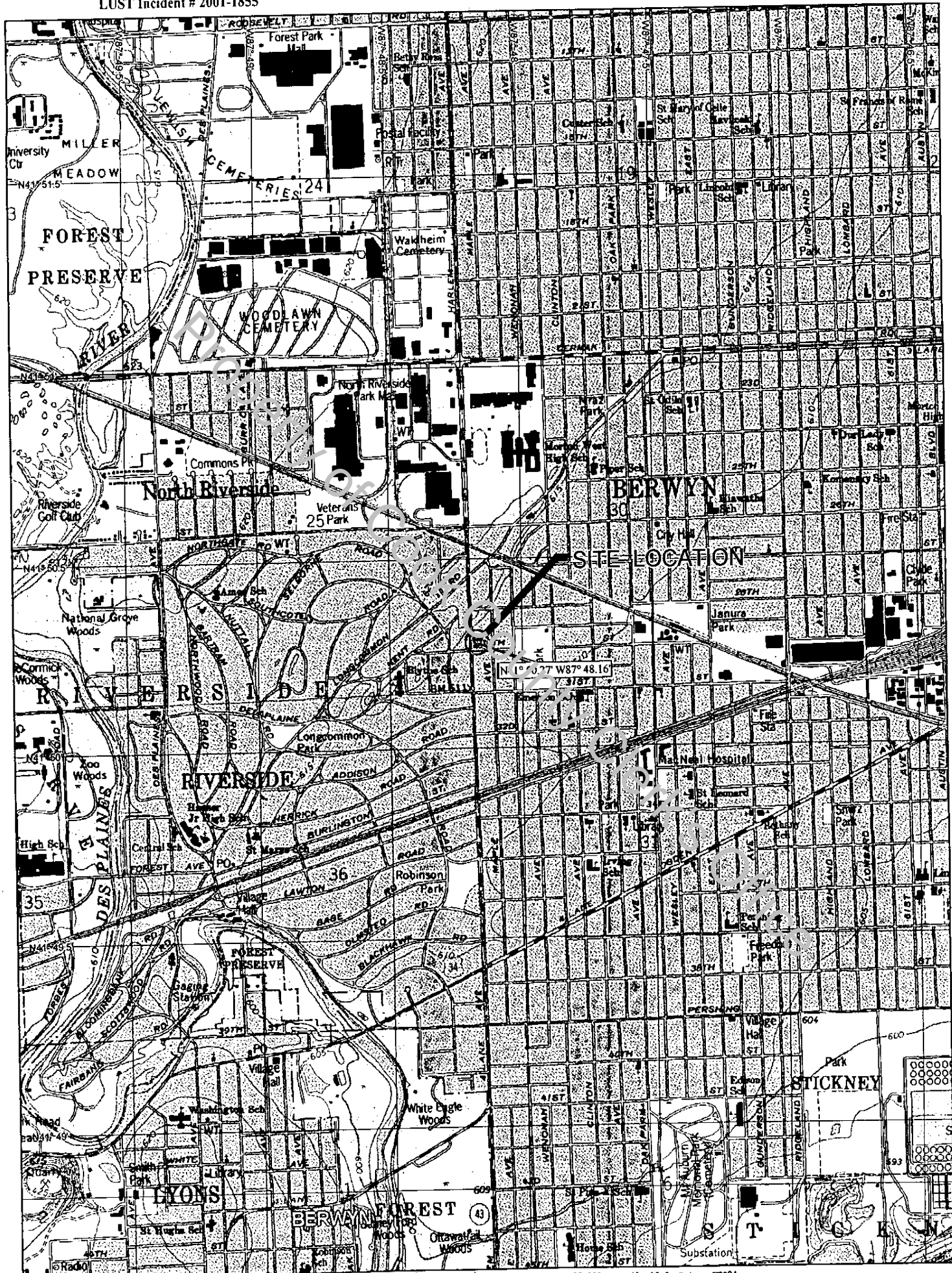


- Local Road
- Major Connector
- State Route
- Walkway/Stairway
- Trail
- Interstate/Limited Access
- Interstate/Unlimited Access
- Toll Highway
- Exit
- Railroad
- Small Town
- Sched Service Airport
- Mega City
- Population Center
- Land
- US Highway

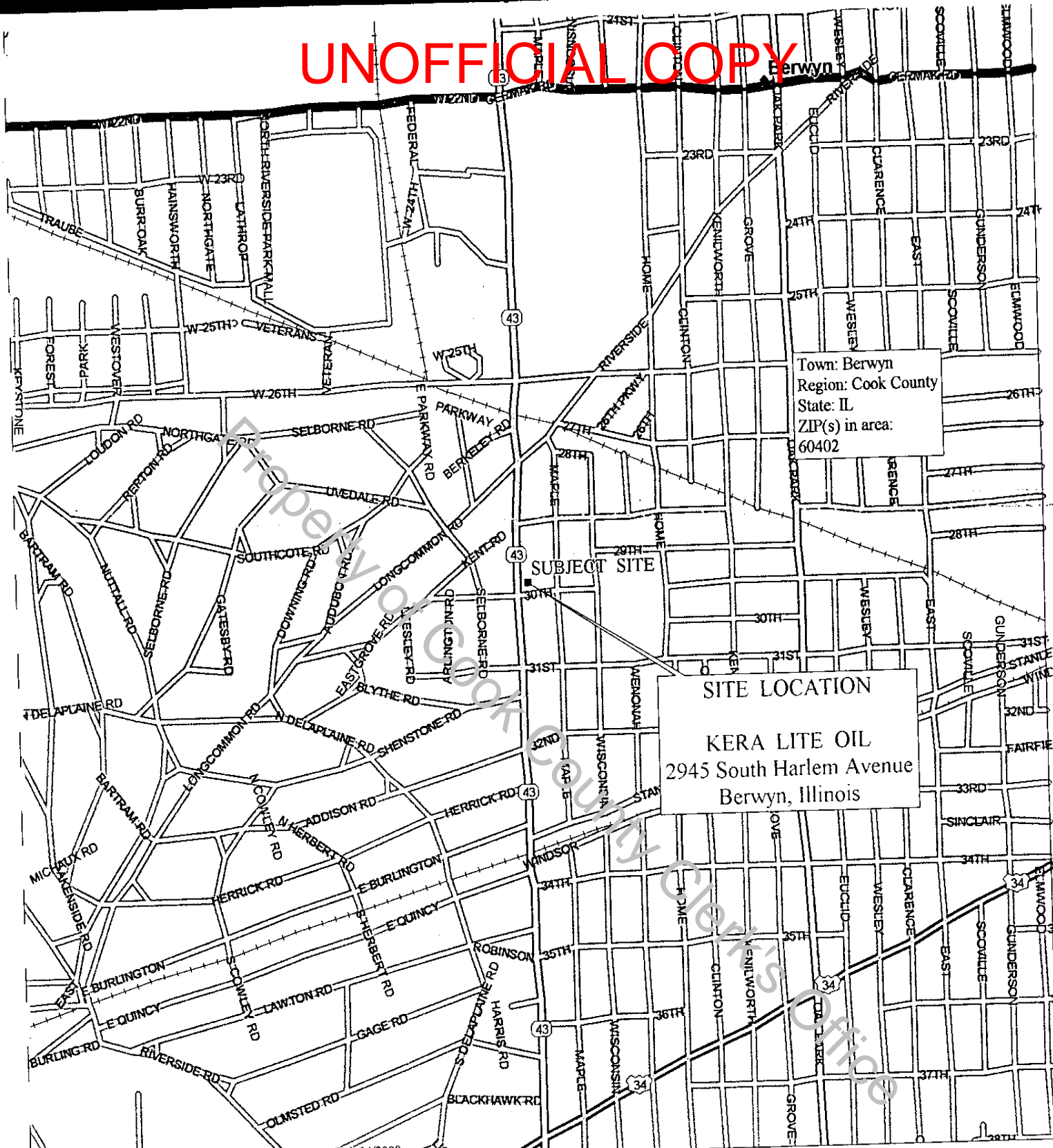
**FIGURE 1**  
**SITE LOCATION**  
**KERA LITE OIL**  
 2945 South Harlem Avenue  
 Berwyn, Illinois  
 LUST Incident # 2001-1855  
 Adept Environmental Solutions, Inc.  
 La Grange, Illinois

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Mag 15.00  
 Mon Nov 19 08:56 2001  
 Scale 1:15,625 (at center)  
 1000 Feet  
 500 Meters

- Local Road
- Major Connector
- State Route
- Interstate/Unlimited Access
- US Highway
- Railroad
- ◆ Small Town
- Population Center

Water  
 Woodland

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**FIGURE 1a**  
**SITE LOCATION**  
 KERA LITE OIL  
 2945 South Harlem Avenue  
 Berwyn, Illinois  
 LUST Incident # 2001-1855

*Adept Environmental Solutions, Inc.*  
 La Grange, Illinois

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NORTH



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SOUTH HARLEM AVENUE

GRASS

GRASS

GRASS

CONCRETE WALK  
129.48

Lot 22

Lot 21

Lot 20

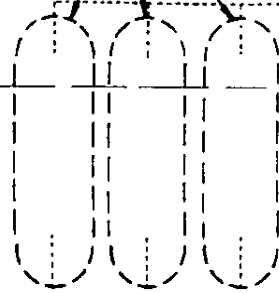
Lot 19

Lot 18

135.1

APPROXIMATE LOCATION  
FORMER VENT LINES  
(Typical)

3-8,000 GALLON GASOLINE  
USTs LOCATION



FORMER PUMP  
LOCATION

APPROXIMATE LOCATION  
FORMER PRODUCT  
LINES (Typical)

135.1

CONCR

G



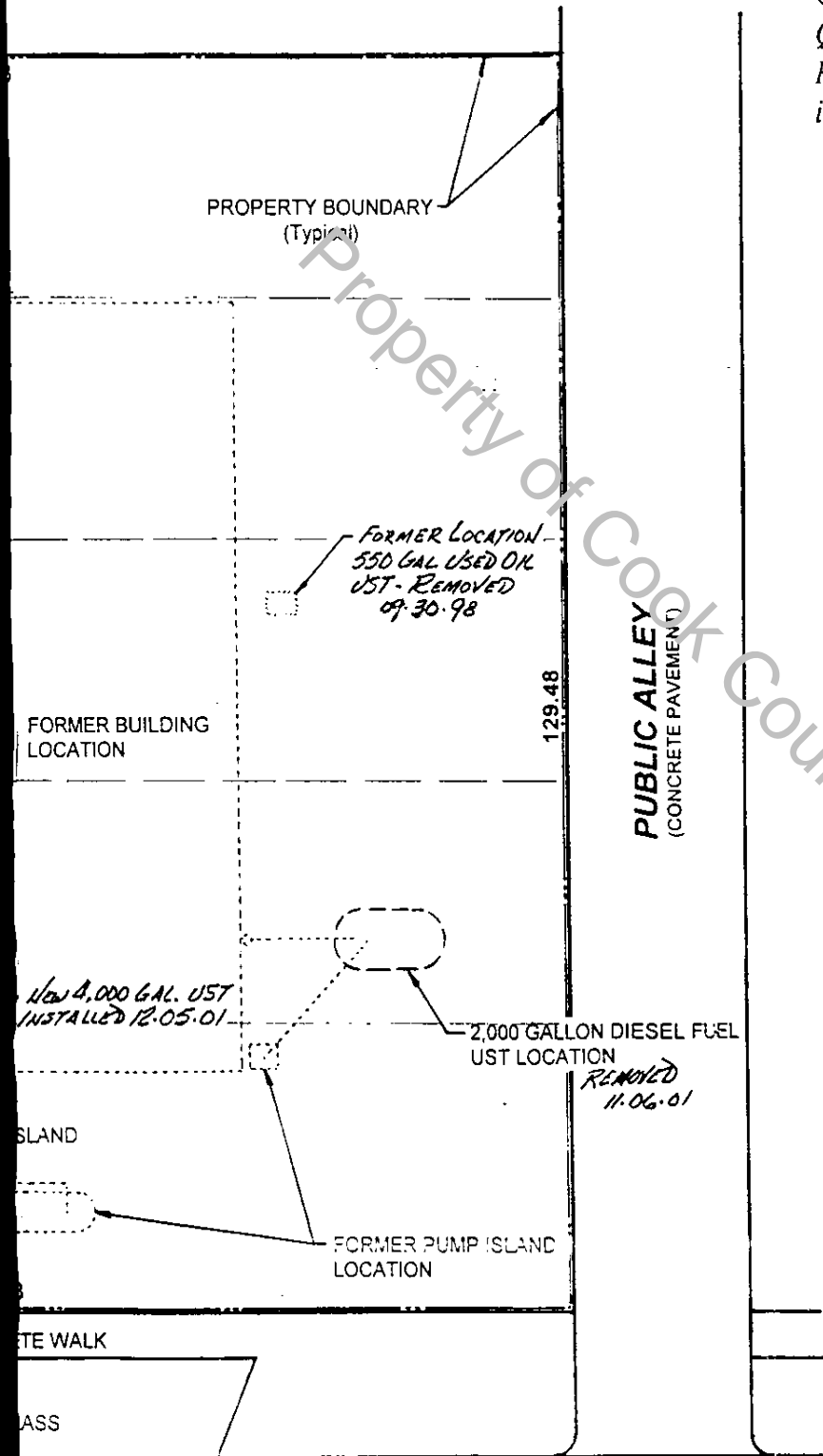
SCALE: 1 INCH = 20 FEET

WEST 3

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## LEGAL DESCRIPTION

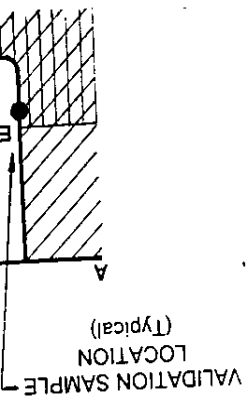
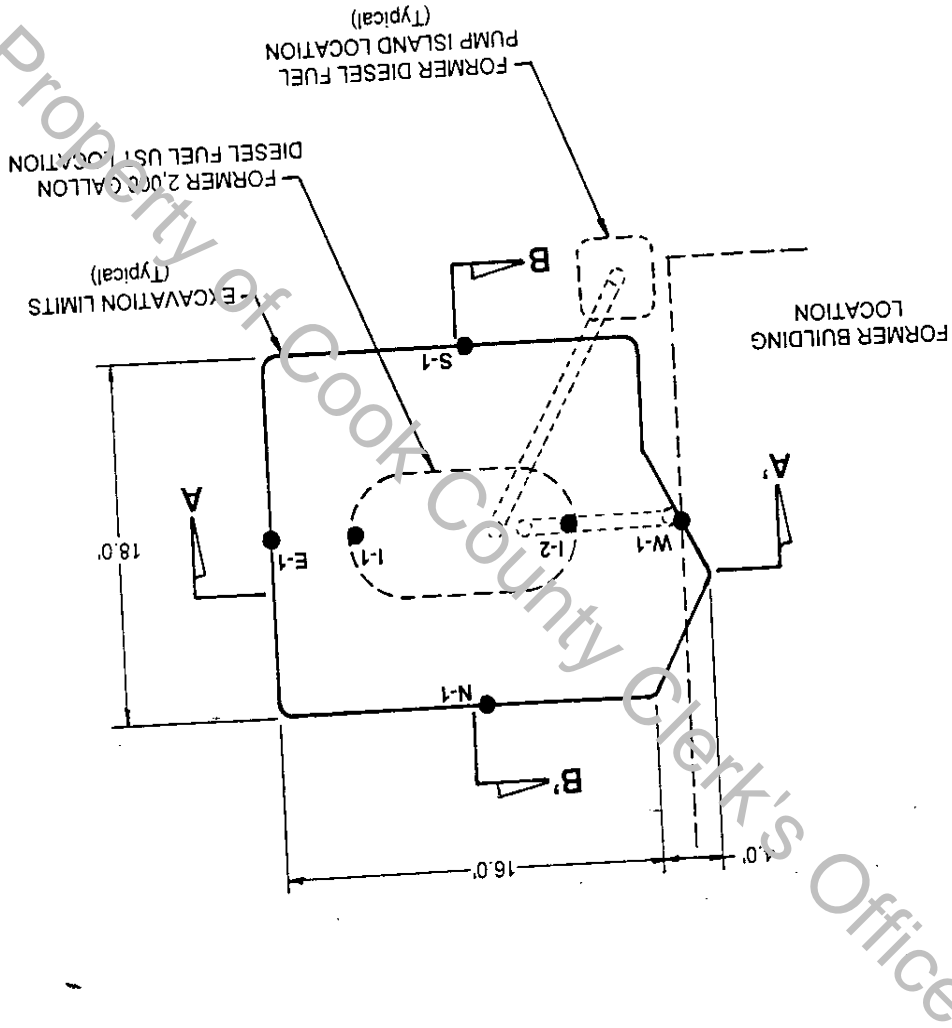
Lots 18, 19, 20, 21, and 22 in Block 5 in Kirchman and Jedlan's Western Agency and Loan, a Subdivision of Lots 5 and 6 in Circuit Court Partition of the West Half of the Southwest Quarter of Section 30, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.



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FIGURE 3  
SITE PLAN  
KERA LITE OIL  
2945 South Harlem Avenue  
Berwyn, Illinois  
LUST Incident # 2001-1855  
Adept Environmental Solutions, Inc.  
La Grange, Illinois

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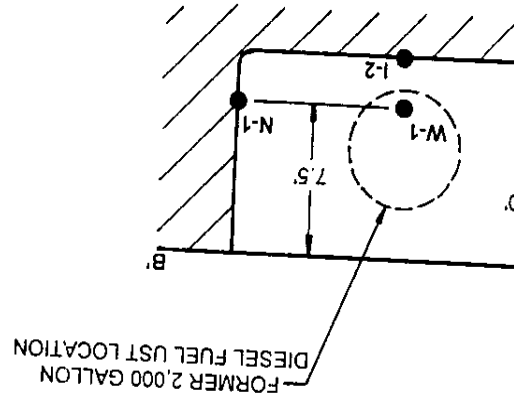
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FIGURE 4  
SECTION VIEWS  
KERA LITE OIL  
2945 South Harlem Avenue  
Berwyn, Illinois  
LUST Incident # 2001-1855  
Adepi Environmental Solutions, Inc.  
La Grange, Illinois

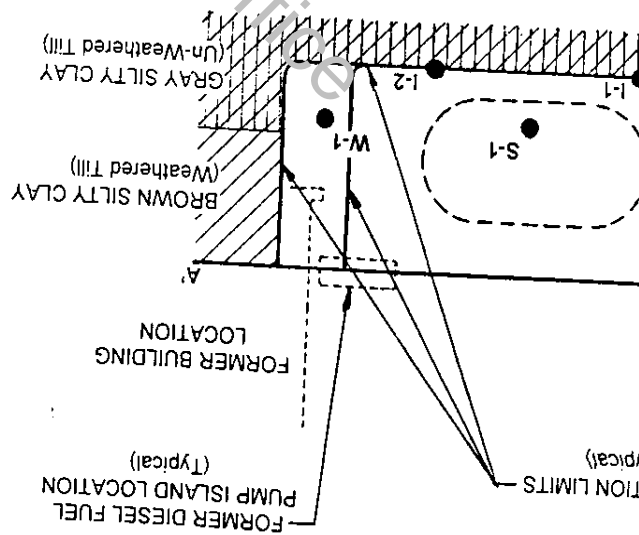
Property of Cook County Clerk's Office

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SECTION B-B'



SECTION A-A'



## Leaking Underground Storage Tank Program Owner/Operator Property Summary

### A. Site Identification.

IEPA Generator # (10 digit): 0310215048 County: Cook

City: Berwyn Site Name: KERA LITE OIL

Site Address (Not a P.O. Box): 2945 South Harlem Avenue

LUST Incident(s) # (6 digit): 2001-1855

LUST Technical File

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Engineered barriers, institutional controls and other use restrictions, if any, proposed for this site may not be implemented without approval by the title holder(s) of record for the above-referenced property, or the agent(s) of such person(s). These controls and restrictions will be identified in the No Further Remediation letter, which must be recorded in the chain of title for the property. Failure to maintain these controls is a ground for voidance of the NFR letter.

### B. Proposed Institutional Controls and Use Restrictions.

The following controls and restrictions are proposed for the above referenced site:

- Industrial/Commercial land use limitation;
- On-site groundwater restriction prohibiting the use of groundwater beneath the site as a potable water supply;
- An engineering barrier:  building,  asphalt/concrete, or  other (*description*): \_\_\_\_\_
- Groundwater Use Restriction Ordinance:  with a MOU,  without a MOU;
- Construction Worker Caution Notification;
- Other: No Institutional Controls or Restrictions Proposed

### C. Identification of Property Ownership

Indicate which statement below is applicable to this site:

=XXX= The title holder of record for the property identified in Section A above is the owner and/or operator of the Underground Storage Tank(s) (proceed to paragraph D).

\_\_\_\_\_ The title holder of record for the property identified in Section A above is not the Underground Storage Tank owner or operator ( skip paragraph D and proceed to paragraph E).

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SEP 17 2001  
IEPA/BOL

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KERA LITE OIL  
2945 South Harlem Avenue  
Berwyn, Illinois  
LUST Incident # 2001-1855

## D. Underground Storage Tank Owner/Operator Declaration

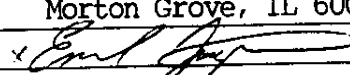
I hereby propose to place the restriction(s) and/or institutional controls identified in Section B above on the property identified in Section A above. I certify that I am the owner and/or operator of the underground storage tank(s) that are or were located at the above referenced property and that I am the title holder of record for the property or the agent of such title holder of record. If the title holder of record is not a natural person, I further certify that, as agent, I have the authority to approve the placement of the proposed institutional controls and restriction(s) on the property.

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Name of property owner: \_\_\_\_\_  
Name of officer or agent: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, zip code: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## E. Property Ownership Declaration

The owner and/or operator of the underground storage tank(s) presently or formerly located at the property identified in Section A above is proposing to place the restriction(s) and/or institutional controls identified in Section B above on the property. I hereby certify that I am the title holder of record for the property, or the agent of such title holder of record, and approve the placement of the restriction(s) and/or institutional controls on the property. If the title holder of record is not a natural person, I further certify that, as agent, I have the authority to approve the placement of the proposed institutional controls and restriction(s) on the property.

Name of property owner: Emanuel Joseph  
Name of officer or agent: \_\_\_\_\_  
Mailing Address: 7916 Arcadia  
City, State, zip code: Morton Grove, IL 60053  
Signature:  Date: x 12-12-01

## F. Site Description

Real Estate Tax/Parcel Index Number: See Attached Sheet  
Legal Description of Site (may be provided on a separate sheet): See Attached Drawing  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Agency is authorized to require this information under Section 4 and Title XVI of the Environmental Protection Act (415 ILCS 5/4, 5.57-57.17). Failure to disclose this information may result in the Agency's inability to issue a No Further Remediation letter under Title XVI. Any person who knowingly makes a false material statement or representation in any label, manifest, record, report, permit, or license, or other document filed, maintained or used for the purpose of compliance with Title XVI commits a Class 4 felony. Any second or subsequent offense after conviction hereunder is a Class 3 felony (415 ILCS 5.57.17). This form has been approved by the Forms Management Center.



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*Lots 18, 19, 20, 21, and 22 in Block 5 in Kirchman and Jedlan's Western Agency and Loan, a Subdivision of Lots 5 and 6 in Circuit Court Partition of the West Half of the Southwest Quarter of Section 30, Township 39 North, Range 13 East of the Third Principal Meridian , in Cook County, Illinois.*

**PIN #s:** 16-30-314-019-0000  
16-30-314-020-0000  
16-30-314-021-0000  
16-30-314-022-0000  
16-30-314-023-0000

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ATTACHMENT 2

APPEAL RIGHTS

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An underground storage tank system owner or operator may appeal this final decision to the Illinois Pollution Control Board (Board) pursuant to Section 57.7(c)(4)(D) and Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the owner or operator and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph  
Suite 11-500  
Chicago, Illinois 60601  
312-814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276  
217-782-5544

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ATTACHMENT 3

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

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