

PREPARED BY:

Name: Fred Blumenhagen

Address: 1000 North Ashland
Chicago, IL 60622

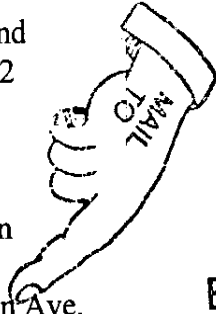


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RETURN TO:

Name: Fred Blumenhagen

Address: 8230 West Berwyn Ave.
Chicago, IL 60656



COOK COUNTY
RECORDER
EUGENE "GENE" MOORE
ROLLING MEADOWS

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: 0316246176
LUST Incident No.: 950083

Fred Blumenhagen, the owner and operator of the leaking underground storage tank(s) associated with the above-referenced incident, whose address is 8230 West Berwyn Ave., Chicago, Illinois has performed investigative and/or remedial activities for the site identified as follows:

1. Legal description or Reference to a Plat Showing the Boundaries: See attached
2. Common Address: 1000 North Ashland
3. Real Estate Tax Index/Parcel Index Number: 17-06-420-031-0000, 17-06-420-032-0000
4. Site Owner: Fred Blumenhagen
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

7099-3400-0014-9524-7604

JUL 26 2002

Fred Blumenhagen
8230 West Perwyn Avenue
Chicago, IL 60656

Re: LPC #0316246176 -- Cook County
Chicago/Northwest Service
1000 North Ashland
LUST Incident No. 950083
LUST Technical File

Dear Mr. Blumenhagen:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Site Classification Completion Report submitted for the above-referenced incident. This information is dated June 7, 2002; was received by the Illinois EPA June 18, 2002; and was prepared by Integrity Environmental Services, Inc. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 IAC).

The Site Classification Completion Report and associated Professional Engineer Certification indicate this site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Act and 35 IAC Section 732.302(a).

Based upon the certification by Peter Swarr, a Registered Professional Engineer of Illinois, 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:

1. Fred Blumenhagen;
2. The owner and operator of the UST(s);

GEORGE H. RYAN, GOVERNOR

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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. Remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were not established because the site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Act and 35 IAC Section 732.302(a).
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: 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.
- 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 voidance 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, IL 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(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 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
 - 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.

An underground storage tank 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, IL 60601
312/814-3620

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

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

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, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Robin McCain, at 217/785-6309.

Sincerely,



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

MTL:RMM



Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description

cc: Mark Ravensi, Integrity Environmental Services, Inc.
Division File

PROPERTY OF COOK COUNTY CLERK'S OFFICE

PIN NUMBERS

17-06-420-031-0000

17-06-420-032-0000

LEGAL DESCRIPTION

LOT 3 IN LIEBERMAN'S SUBDIVISION OF THE NORTH 14.34 FEET OF LOT 4 AND ALL OF LOTS 5, 6, AND 35 IN THE SUBDIVISION OF BLOCK 9 IN JOHNSON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

ALSO LOTS 1 AND 2 AND LOT 4 (EXCEPT THE NORTH 14.34 FEET OF SAID LOT 4 AND EXCEPT THAT PART OF SAID LOTS 1, 2, AND 4 LYING EAST OF A LINE 50.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN TAKEN FOR THE WIDENING OF NORTH ASHLAND AVENUE) IN THE SUBDIVISION OF BLOCK 9 IN JOHNSON'S SUBDIVISION OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

From Cook County Clerk's Office

UNOFFICIAL COPY

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