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EXHIBIT

ATTACHED TO



DOCUMENT

SEE PLAT INDEX

Property of Cook County Clerk's Office



PREPARED BY:

Name: Watkins Terminals, Inc.

Address: 4711 Lawndale Avenue
Lyons, Illinois

RETURN TO:

Name: Watkins Terminals, Inc

Address: P.O. Box 1738
Atlanta, Georgia 30324

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND/OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEM(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: 0311715002
LUST Incident No.: 971456

Watkins Terminals, Inc, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is P.O. Box 1738, Atlanta, Georgia 30324, 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 Attached
2. Common Address: 4711 Lawndale Avenue, Lyons, Illinois
3. Real Estate Tax Index/Parcel Index Number: 18-11-201-019-000 & 18-11-201-021-0000
4. Site Owner: Freight Terminals, Inc.
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply. The land use shall be industrial/commercial.
6. See the attached No Further Remediation Letter for other terms.

HAC:MW:mw\971456-2.DOC

Attachment: Site Base Map
Legal Description

Handwritten notes:
5/28
P 9
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MYES
OK

UNOFFICIAL COPY**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

CERTIFIED MAIL

7002 2030 0001 1521 1508

MAR 17 2003

Freight Terminals, Inc.
 Attention: Clay Watkins
 P.O. Box 1738
 Atlanta, Georgia 30324

Re: LPC #0311715002 -- Cook County
 Lyons/Watkins Terminals, Inc.
 4711 South Lawndale Avenue
 LUST Incident No. 971456
 LUST Technical File

Dear Mr. Watkins:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information is dated February 19, 2003 and was received by the Illinois EPA on February 24, 2003. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Ill. Adm. Code 732.300(b) and 732.409(b) indicate the remediation objectives set forth in 35 Ill. Adm. Code 732.408 have been met.

Based upon the certification by John Caudill, a Licensed Professional Engineer, 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 Licensed 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 remediation of the occurrence has been completed; and (3) no further corrective action 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 parties:

1. Freight Terminals, Inc., the owner or operator of the underground storage tank system(s).

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
 ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
 BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
 SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
 MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

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2. Any parent corporation or subsidiary of such owner or operator.
3. 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.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. 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.
8. 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 receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which 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, an accurate and official 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 have been established in accordance with an industrial/commercial land use limitation. 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 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the

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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 land use shall be industrial/commercial. 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 No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. **Preventive:** 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.

Prior to commencement of any future excavation and/or construction in or near the contaminated zone of the remediation site, a safety plan for this remediation site is required that is consistent with National Institute for Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; Occupational Safety and Health Administration 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.

Engineering: A concrete/asphalt barrier that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media must remain over the contaminated soil as outlined in the attached Site Base Map. This concrete/asphalt barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

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, if applicable, 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 Ill. Adm. Code 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
8. Pursuant to Section 57.10(e) of the Act (415 ILCS 57.10(e)) and 35 Ill. Adm. Code 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 system(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;

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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 an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land - #24
Leaking Underground Storage Tank 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, Mindy Weller, at 217/782-6762.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:MW:mw\971456-2.DOC

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Map
Legal Description

cc: John Caudill, P.E., Atlantic Geoscience, Inc.
Division File

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EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:--That part of LOT ONE (1), in Owner's Subdivision of that part of the East Half (½) of the Northeast Quarter (¼) of Section 11, Township 38 North, Range 12, East of the Third Principal Meridian, lying Northwesterly of Joliet Road, in Cook County, Illinois, according to the Plat recorded in the Recorder's Office of Cook County, Illinois, as Document Number 6726722, described as follows:--Commencing at a point at the intersection of the Westerly line of Joliet Avenue and the South line of 47th Street; thence West along the South line of 47th Street, 801.22 feet for a point of beginning; thence South 310 feet to a point on the line which if extended East would at a distance of 706.94 feet, intersect the Westerly line of Joliet Avenue; thence East along last described line, 274 feet to a point; thence South along a line parallel with the West line of Lot One (1), 325.03 feet to a line drawn parallel with the North line of Section 11, Township 38 North, Range 12, East of the Third Principal Meridian, from a point on the West line of Lot One (1), 250 feet North of the South line of said Lot One (1); thence West along last described line 709.33 feet to a point on the West line of said Lot One (1); thence North along the West line of Lot One (1) 215.68 feet to a point 417.75 feet South of the South line of 47th Street; thence East along a line parallel with 47th Street, 217.05 feet to a point; thence North along a line parallel to the West line of Lot One (1), 287.75 feet to a point on a line drawn parallel with and 130 feet South of the South line of 47th Street; thence East along the last described line 200 feet to a point on a line drawn parallel with and 417.05 feet East of the West line of Lot One (1); thence North along last described line 130 feet to a point on the South line of 47th Street; thence East along the South line of 47th Street, 24 feet to the point of beginning.

ALSO

PARCEL 2:--That part of LOT ONE (1) in Owner's Subdivision of that part of the East Half (½) of the Northeast Quarter (¼) of Section 11, Township 38 North, Range 12, East of the Third Principal Meridian, lying Northwesterly of the Joliet Road, according to the Plat recorded in the recorder's Office of Cook County, Illinois, as Document Number 6726722, described as follows:--Commencing at a point Fifty (50) feet South of the North line of Section 11, Township 38 North, Range 12, East of the Third Principal Meridian, on the West boundary line of Lot One (1) thereof; thence South along the West line of Lot One (1), 217.75 feet for a point of beginning; thence East along a line parallel to the South line of 47th Street, 217.05 feet; thence South along a line parallel to the West line of Lot One (1), 200 feet; thence West along a line parallel to the South line of 47th Street, 217.05 feet to a point on the West line of Lot One (1); thence North along the West line of Lot One (1), 200 feet to the point of beginning.

ALSO

PARCEL 3:-- A perpetual easement appurtenant to and for the benefit of Parcels 1 and 2 reserved in the Deed dated March 19, 1957 from Bluebird System, Incorporated, a Delaware corporation, as Grantor to Edward D. Kendrickson, as Grantee, entered in Volume 138313 on Page 100, as Document 1778018 in the Registrar's Office of the County of Cook, State of Illinois, for the benefit of said Grantor, its successors and assigns, its employees, agents, guests, licensees, invitees, or other persons having business with it, for roadway purposes for ingress to and egress from all other portions of Lot 1, upon, along and over the following parcel of land:

That part of Lot 1 in Owner's Subdivision of that part of the East 1/2 of the North East 1/4 of Section 11, Township 38 North, Range 12 East of the Third Principal Meridian, lying Northwesterly of Joliet Road, according to the Plat thereof recorded as Document 6726722, described as follows:

Starting at the intersection of the westerly line of Joliet Avenue and the South Line of 47th Street thence West along the South Line of 47th Street, 777.22 feet for a point of beginning; thence South 310 feet to a point on a line which if extended East would, at a distance of 682.94 feet intersect the Westerly line of Joliet Avenue; thence West along said last described line 24 feet; thence North 310 feet to a point on the South line of 47th Street, which latter point is 24 feet West of the point of beginning; thence East along the South line of 47th Street, 24 feet to the described place of beginning, in Cook County, Illinois

ALSO

PARCEL 4:--That part of LOT ONE (1) in Owner's Subdivision of that part of the East Half (½) of the Northeast Quarter (¼) of Section Eleven (11), Township Thirty-Eight (38) North, Range Twelve (12), East of the Third Principal Meridian, lying Northwesterly of Joliet Road, said part of Lot One (1), being more particularly described as follows: Beginning on the West line of said Lot One (1) at a point which is Two Hundred Fifty (250) feet North from the Southwest corner of said Lot and running thence East along a line parallel with the North line of said Section Eleven (11), said parallel line being identical with the North line of the South Two Hundred Fifty (250) feet of said Lot One (1), a distance of Seven Hundred Eighty-Four (784) feet to its intersection with the East line of the West Eight Hundred Seventeen (817) feet of said East Half (½) of the Northeast Quarter (¼); thence South along said East line of West Eight Hundred Seventeen (817) feet, being also parallel with the West line of said Lot One (1), a distance of Ninety (90) feet; thence West along a line which is parallel with the North line of said Section, a distance of Seven Hundred Eighty-Four (784) feet to the West line of said Lot One (1) and thence North along said West line of Lot One (1), a distance of Ninety (90) feet to the point of beginning.

ALSO

PARCEL 5:--The East Fifty (50) feet of the West Seven Hundred Eighty-Four (784) feet of that part of said Lot One (1) which lies South of a line one Hundred Sixty (160) feet (as measured on the West line of said Lot One (1) North from and parallel with the South line and an Eastward extension of the South line of said Lot One (1) in Owner's Subdivision of that part of the East Half (½) of the Northeast Quarter (¼) of Section Eleven (11), Township Thirty-Eight (38) North, Range Twelve (12), East of the Third Principal Meridian, lying Northwesterly of Joliet Road.

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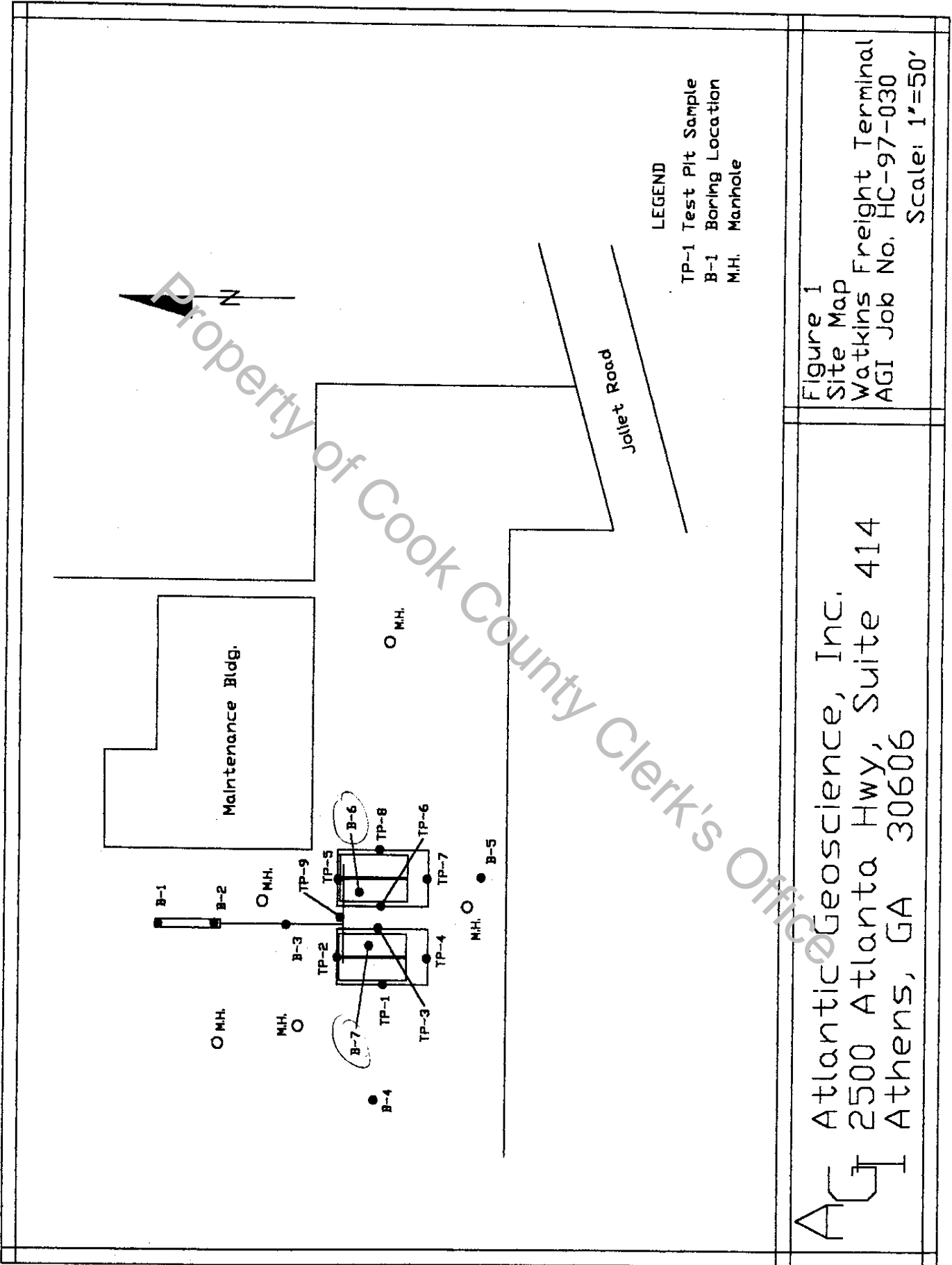


Figure 1
 Site Map
 Watkins Freight Terminal
 AGI Job No. HC-97-030
 Scale: 1"=50'

AGI Atlantic Geoscience, Inc.
 2500 Atlanta Hwy, Suite 414
 Athens, GA 30606