

# UNOFFICIAL COPY



Doc#: 0328139014  
Eugene "Gene" Moore Fee: \$28.00  
Cook County Recorder of Deeds  
Date: 10/08/2003 09:45 AM Pg: 1 of 3

**VOIDANCE OF  
"NO FURTHER  
REMEDICATION"  
LETTER BY THE  
ILLINOIS  
ENVIRONMENTAL  
PROTECTION AGENCY**

The Illinois Environmental Protection Agency ("EPA") has taken action to void the "No Further Remediation" ("NFR") Letter that was issued to Cowhey Materials (0316115128) on 9/6/2001. A recipient of an NFR Letter is required to record the letter within 45 days after receipt of the letter. (35 Ill. Adm. Code 732.703) The NFR Letter was not recorded in a timely manner, and therefore the Illinois EPA hereby voids the NFR Letter. The Illinois EPA has complied with all notice requirements necessary to void the NFR Letter. (35 Ill. Adm. Code 732.704) The Notice of Voidance previously sent to Cowhey Materials is attached to this document. This voidance is effective on the date it is recorded.

This document was prepared by, and after being recorded should be returned to:

Illinois Environmental Protection Agency  
Douglas W. Clay, P.E., Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
217/782-6762

Legal description of property:

Lots 1,2,3 and 4 in block 40 in Village of Jefferson in sections 9, 8, and 16, Township 40 north, range 13 east of the third principal meridian; in Cook county, Illinois

Tax Identification Number:

13-09-324-012-0000

RETURN TO:  
Wheatland Title  
39 Mill Street  
Montgomery, IL 60538  
EPA-CO-3025



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## 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**

Cowhey Materials  
 Dennis Cowhey  
 5310 West Ainslie Street  
 Chicago, IL 60630

Re: LPC # 0316115128 -- Cook County  
 Chicago/Cowhey Materials  
 5310 West Ainslie Street  
 LUST Incident No. 990699  
 LUST Technical File

Dear Sir or Madam:

On 9/6/2001, the Illinois Environmental Protection Agency ("Illinois EPA") issued to you, as the owner or operator of record, a "No Further Remediation" letter ("Letter") for the above-referenced incident pursuant to Section 57.10 of the Environmental Protection Act ("Act") (415 ILCS 5/57.10) and 35 Illinois Administrative Code (35 Ill. Adm. Code) Part 732, Subpart G. Please be advised that 35 Ill. Adm. Code Section 732.703(a) requires that an owner or operator receiving an NFR Letter submit the Letter to the Office of the Recorder or Registrar of Titles of the county in which the site is located within forty-five (45) days after receipt of the Letter. Otherwise, the Letter shall not become effective (35 Ill. Adm. Code Section 732.703 (b)).

Failure to record the Letter in accordance with 35 Ill. Adm. Code Section 732.703(a) constitutes an omission which may result in voidance of the Letter (35 Ill. Adm. Code Section 732.704(a)).

Our records indicate that, as of this date, the 9/6/2001 letter was not recorded in a timely and proper manner. Therefore, the Illinois EPA is initiating this action to void the above referenced NFR letter for the following reason(s):

The owner or operator who received the NFR Letter did not record the Letter with the Office of the Recorder or the Registrar of Titles of the county in which the site is located within forty-five (45) days after receipt of the Letter as required pursuant to 35 Ill. Adm. Code Section 732.703(a). Therefore, the Letter may be voided pursuant to 35 Ill. Adm. Code Section 732.704(a)(5).

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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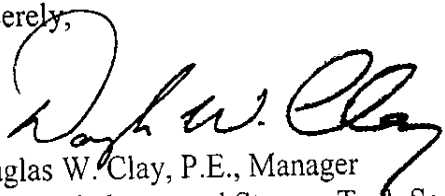
Submit any correspondence to the following address:

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

Within 35 days after the date of mailing of this final decision, the owner or operator may petition for a hearing before the Illinois Pollution Control Board (Board) to contest the decision of the Illinois EPA. (For information regarding the filing of an appeal, please contact the Board at 312/814-3620.) However, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the owner or operator and the Illinois EPA within the 35-day initial appeal period. (For information regarding the filing of an extension, please contact the Illinois EPA's Division of Legal Counsel at 217/782-5544.)

If you have any questions or need further assistance, please contact this office.

Sincerely,



Douglas W. Clay, P.E., Manager  
Leaking Underground Storage Tank Section  
Division of Remedial Management  
Bureau of Land

cc: Division File

PROPERTY OF COOK COUNTY CLERK'S OFFICE