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PREPARED BY:

Name: Pennol Oil Products  
Address: 7820 West 26<sup>th</sup> Street  
North Riverside, IL

Doc#: 0331844037  
Eugene "Gene" Moore Fee: \$40.50  
Cook County Recorder of Deeds  
Date: 11/14/2003 10:57 AM Pg: 1 of 9

RETURN TO:

Name: Pennol Oil Products  
Attn: Dorothy Pulte  
Address: 1113 South Waiola Avenue  
La Grange, IL 60525



(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: 0312165010

LUST Incident No.: 890752

Pennol Oil Products, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1113 South Waiola Avenue, La Grange, Illinois 60525, 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 site base map/legal description.
2. Common Address: 7820 West 26<sup>th</sup> Street
3. Real Estate Tax Index/Parcel Index Number: 15-25-127-031-0000, 15-25-127-032-0000, 15-25-127-033-0000, 15-25-127-034-0000, 15-25-127-035-0000, 15-25-127-036-0000, 15-25-127-037-0000.
4. Site Owner: West Town Savings Bank, An Illinois Savings Bank
5. Land Use Limitation: The groundwater under the site shall not be used as a potable water supply.
6. See the attached No Further Remediation Letter for other terms.

KEK

Attachment: Site Base Map/Legal Description

**UNOFFICIAL COPY****ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397  
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-6762

**CERTIFIED MAIL**

7002 3150 0000 1227 0646

**NOV 05 2003**

Pennol Oil Products  
 Attn: Dorothy L. Pulte  
 1113 South Waiola Avenue  
 La Grange, Illinois 60525

Re: LPC #0312165016 -- Cook County  
 North Riverside/Pennol Oil Products  
 7820 West 26<sup>th</sup> Street  
 LUST Incident No. 890752  
 LUST Technical File

Dear Mrs. Pulte:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information is dated June 3, 2003 and was received by the Illinois EPA on June 6, 2003. Citations in this letter are from 35 Illinois Administrative Code (35 Ill. Adm. Code). The Agency has also reviewed the September 30, 2003 submittal that addressed additional sampling that was requested by the Agency to supplement the above referenced completion report.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Ill. Adm. Code 731 indicate remediation has been successfully completed.

Based upon the certification by David G. Yacko, a Licensed Professional Engineer, 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 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. This Letter shall apply in favor of the following parties:

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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1. Pennol Oil Products, the owner or operator of the underground storage tank system(s).
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 mortgage 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 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.

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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 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 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 building, concrete, or 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 building, concrete, or asphalt barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

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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.

### Highway Authority Agreement

Village of North Riverside agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soil to remain beneath its highway right-of-way adjacent to the site located at 7820 West 26<sup>th</sup> Street. Specifically, as shown on the attached map, contamination will remain in the right-of-way for West 26<sup>th</sup> Street, as indicated in the Highway Authority Agreement. The Highway Authority agrees to: (a) prohibit the use groundwater under the highway right-of-way that is contaminated above Tier 1 groundwater remediation objectives as a potable or other domestic supply of water, and (b) limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter. Questions regarding the Highway Authority Agreement should be directed to:

Village of North Riverside  
2401 South Des Plaines Avenue  
North Riverside, IL 60546

5. Failure to establish, operate, and maintain controls in full compliance with the Act, applicable regulations, and the approved Corrective Action Plan may, if applicable, 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

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Bureau of Land - #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

8. 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.

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

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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Karl Kaiser, at (217) 524-4650.

Sincerely,

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

CLW:KEK

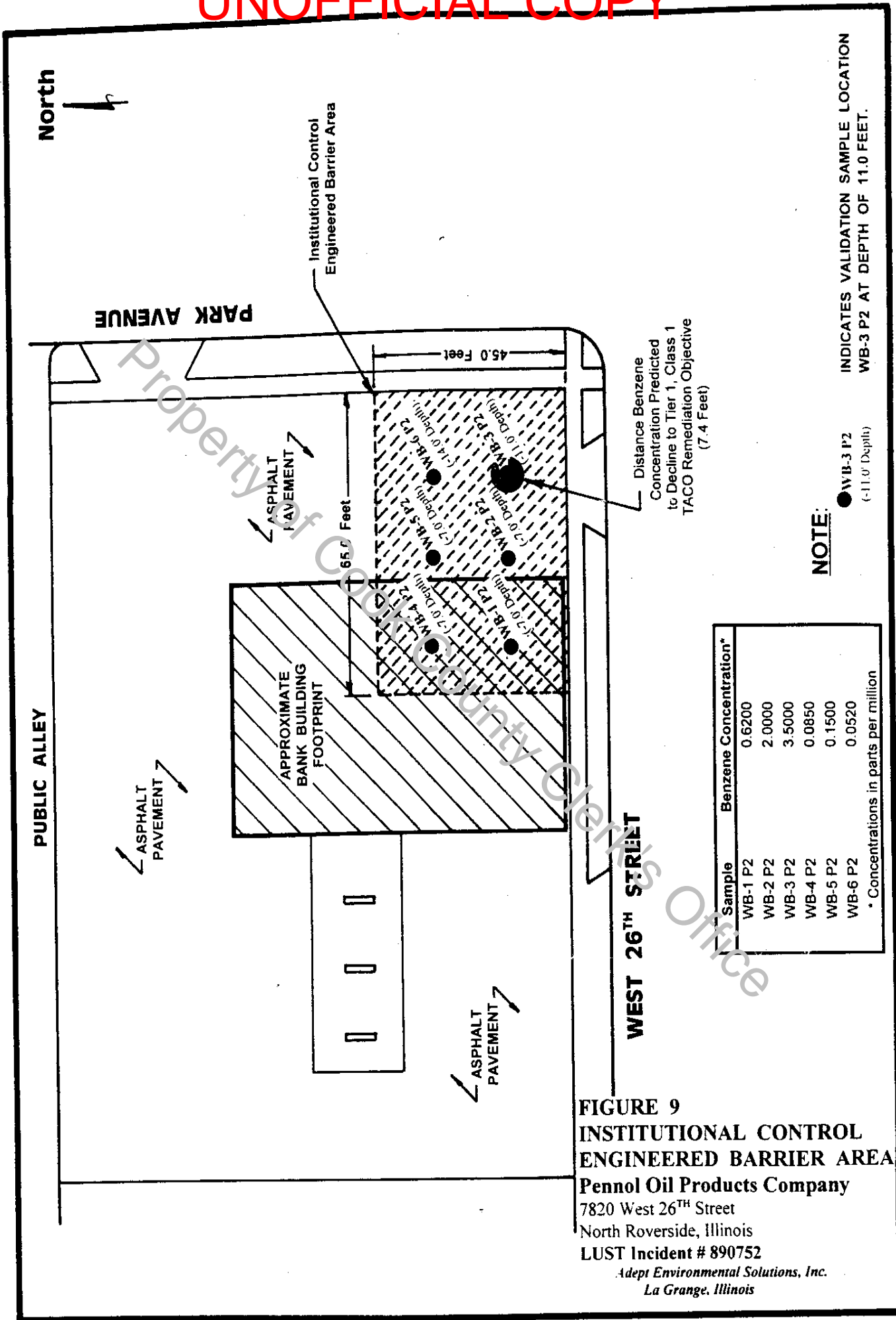
Attachments: Leaking Underground Storage Tank Environmental Notice  
Site Base Map/Legal Description

c: Dana Rose, Adept Environmental Solutions, Inc.  
Division File

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**NOTE:**

INDICATES VALIDATION SAMPLE LOCATION  
WB-3 P2 AT DEPTH OF 11.0 FEET.

● WB-3 P2  
(-11.0' Depth)

Distance Benzene  
Concentration Predicted  
to Decline to Tier 1, Class 1  
TACO Remediation Objective  
(7.4 Feet)

Sample	Benzene Concentration*
WB-1 P2	0.6200
WB-2 P2	2.0000
WB-3 P2	3.5000
WB-4 P2	0.0850
WB-5 P2	0.1500
WB-6 P2	0.0520

\* Concentrations in parts per million

**FIGURE 9**  
**INSTITUTIONAL CONTROL**  
**ENGINEERED BARRIER AREA**  
**Pennol Oil Products Company**  
 7820 West 26<sup>TH</sup> Street  
 North Riverside, Illinois  
 LUST Incident # 890752  
 Adept Environmental Solutions, Inc.  
 La Grange, Illinois



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## EXHIBIT B AGREEMENT AREA

Pennol Oil Products Company  
 7820 West 26<sup>th</sup> Street  
 North Riverside, Illinois  
 LUST Incident # 890752

NORTH

PARK AVENUE

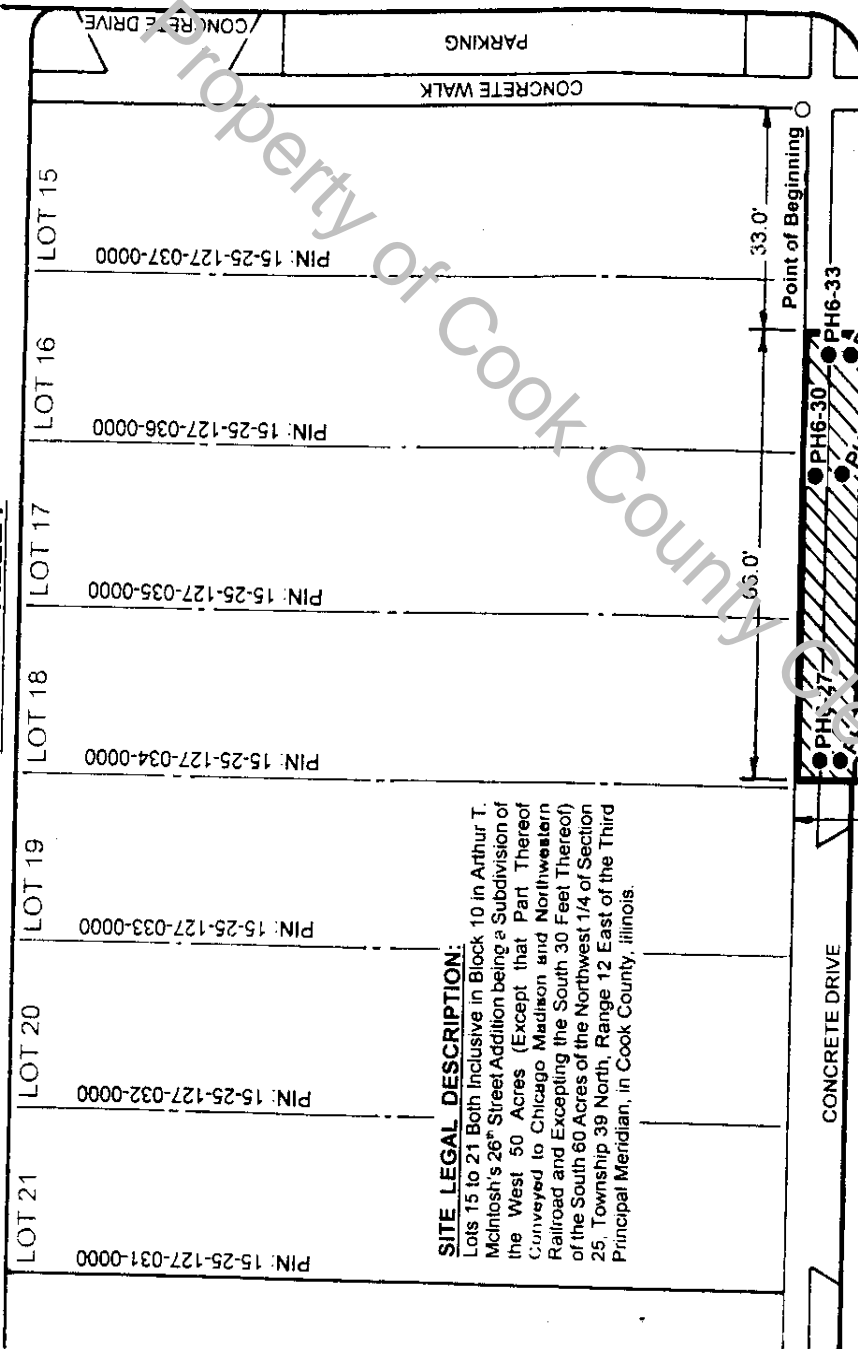
CENTERLINE OF WEST 26<sup>th</sup> STREET

SAMPLE LOCATIONS (Typical)

Sample	Date	Depth	Compound	Concentration
A-3	11/03/94	7' 5"	Benzene	ND
A-4	11/03/94	7' 5"	Benzene	ND
PH6-27	05/14/99	5' 0"	Benzene	0.0630 ppm
PH6-30	05/14/99	7' 0"	Benzene	0.0400 ppm
PH6-33	05/18/98	5' 0"	Benzene	0.0610 ppm
PH6-27(A)	10/01/02	6' 0"	Benzene	ND
PH6-30(A)	10/01/02	6' 0"	Benzene	0.1410 ppm
PH6-33(A)	10/01/02	6' 0"	Benzene	ND

PUBLIC ALLEY

WEST 26<sup>th</sup> STREET



**SITE LEGAL DESCRIPTION:**  
 Lots 15 to 21 Both Inclusive in Block 10 in Arthur T. McIntosh's 26<sup>th</sup> Street Addition being a Subdivision of the West 50 Acres (Except that Part Thereof Conveyed to Chicago Madison and Northwestern Railroad and Excepting the South 30 Feet Thereof) of the South 60 Acres of the Northwest 1/4 of Section 25, Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

**AGREEMENT AREA DESCRIPTION:**  
 Beginning at the Point of Beginning located at the Southeast Corner of LOT 15 (at the Southeast Corner of the Subject Site), Thence Westerly along the South Boundary of LOTS 15 and 16 a Distance of 33.0 Feet to the Northwest Corner of the Agreement Area, Thence Continuing Westerly along the South Boundary of LOTS 16, 17 and 18 a Distance of 66.0 Feet to the Northwest Corner of the Agreement Area, Thence Southerly a Distance of 35.0 Feet to the Approximate Centerline of West 26<sup>th</sup> Street (the Southwest Corner of the Agreement Area), Thence Easterly a Distance of 66.0 Feet to the Southeast Corner of the Agreement Area, Thence Northerly a Distance of Approximately 35.0 Feet to the South Boundary of LOT 16 (Northeast Corner of the Agreement Area).

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