

# UNOFFICIAL COPY

PREPARED BY:

Name: John Robbins  
Equilon Enterprises LLC

Address: 2012 South Crawford Avenue  
Matteson, IL 60443



Doc#: 0415534034  
Eugene "Gene" Moore Fee: \$34.50  
Cook County Recorder of Deeds  
Date: 06/03/2004 12:01 PM Pg: 1 of 6

RETURN TO:

Name: John Robbins  
Equilon Enterprises LLC

Address: 603 Diehl Road  
Naperville, IL 60563

(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: 0311805048

LUST Incident No.: 870884

Equilon Enterprises LLC, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 603 Diehl Road, Suite 103, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: The East 250 feet of the South 250 feet of the East half of the Northeast quarter of Section 22, Township 35 North, Range 13 East of the Third Principal Meridian (except from said premises east 50 feet thereof and South 50 feet falling within Crawford Avenue and Lincoln Highway) all in Cook County, Illinois.
2. Common Address: 21012 South Crawford Avenue, Matteson
3. Real Estate Tax Index/Parcel Index Number: 31-22-201-007
4. Site Owner: Equilon Enterprises LLC
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

**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 1257 4164

**MAY 24 2004**

Equilon Enterprises, LLC  
 John Robbins  
 603 Diehl Road Suite 103  
 Naperville, IL 60563

Re: LPC #0311805015 -- Cook County  
 Matteson/Equilon Enterprises, LLC  
 1012 South Crawford Avenue  
 LUST Incident No. 870814  
 LUST Technical File

Dear Mr. Robbins:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information is dated September 25, 2003 and was received by the Illinois EPA on September 29, 2003. Citations in this letter are from 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 731 indicate remediation has been successfully completed.

Based upon the certification by Patrick Haire, 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:

1. Equilon Enterprises LLC, the owner or operator of the underground storage tank system(s).

# UNOFFICIAL COPY

Page 2

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 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.

# UNOFFICIAL COPY

Page 3

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: 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 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: 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, 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.

# UNOFFICIAL COPY

Page 4

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. 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 avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance 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.

# UNOFFICIAL COPY

Page 5

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, Scott Rothering, at 217-785-1858.

Sincerely,



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

CLW:SRR\870884

Attachments: Leaking Underground Storage Tank Environmental Notice

c: Handex Environmental  
Division File