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PREPARED BY:

Name: Glenn Dawson
Great Lakes Dredge & Dock

Address: 9320 South Ewing Avenue
Chicago, Illinois 60617

Doc#: 0418945084
Eugene "Gene" Moore Fee: \$46.50
Cook County Recorder of Deeds
Date: 07/07/2004 10:34 AM Pg: 1 of 12

RETURN TO:

Name: Glenn Dawson
Great Lakes Dredge & Dock

Address: 9320 South Ewing Avenue
Chicago, Illinois 60617



(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: #0316525013

LUST Incident No.: #921587

Glenn Dawson, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 9320 South Ewing Avenue, Chicago, Illinois, 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 Legal Description
2. Common Address: 9320 South Ewing Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 26-05-117-013-0000
4. Site Owner: Great Lakes Dredge & Dock
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

EK

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G20230
April 30, 2002

THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 302.3 FEET FOR A DISTANCE OF 124.05 FEET TO A POINT ON THE WEST LINE OF SECTION 5, AND 309.75 FEET SOUTH OF THE INTERSECTION OF THE SOUTHWESTERLY LINE OF EWING AVENUE, AND WEST LINE OF SAID SECTION 5; THENCE CONTINUING ALONG SAID CURVE 3.67 FEET TO A POINT OF TANGENCY, SAID TANGENT BEING PARALLEL TO AND 44.5 FEET DISTANT FOR THE CENTER LINE OF DOCK; THENCE FROM THE POINT OF TANGENCY ALONG SAID TANGENT FOR A DISTANCE OF 98.08 FEET TO A POINT ON THE NORTHWESTERLY LINE OF PROPERTY CONVEYED IN BLOCK 112 AND 143.91 FEET SOUTHWESTERLY OF THE INTERSECTION OF SAID NORTHWESTERLY PROPERTY LINE AND EAST OF BLOCK 112, ALL IN SECTIONS 5 AND 6, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE IN THE CITY OF CHICAGO, COUNTY OF COOK AND STATE OF ILLINOIS.

PARCEL 2: PERMANENT TAX INDEX NUMBER = 26-05-117-013-0000

THAT PART OF THE OLD RIVER CHANNEL OF THE CALUMET RIVER ADJACENT OF BLOCK 112 TOGETHER WITH THE PART OF BLOCK 112 WEST OF EWING AVENUE IN THE SUBDIVISION BY THE CALUMET AND CHICAGO CANAL AND DOCK COMPANY, BEING PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID SECTION 6, WITH THE SOUTHERLY LINE OF EWING AVENUE; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 134.70 FEET; THENCE SOUTHWESTERLY 188.41 FEET TO A POINT ON THE CALUMET RIVER TURNING BASIN NO. 1; THENCE NORTHWESTERLY ALONG SAID CALUMET RIVER TURNING BASIN NO. 1, A DISTANCE OF 411.21 FEET; THENCE NORTHEASTERLY 302.71 FEET TO A POINT ON THE SOUTHERLY LINE OF EWING AVENUE; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF EWING AVENUE 333.43 FEET TO THE POINT OF BEGINNING.

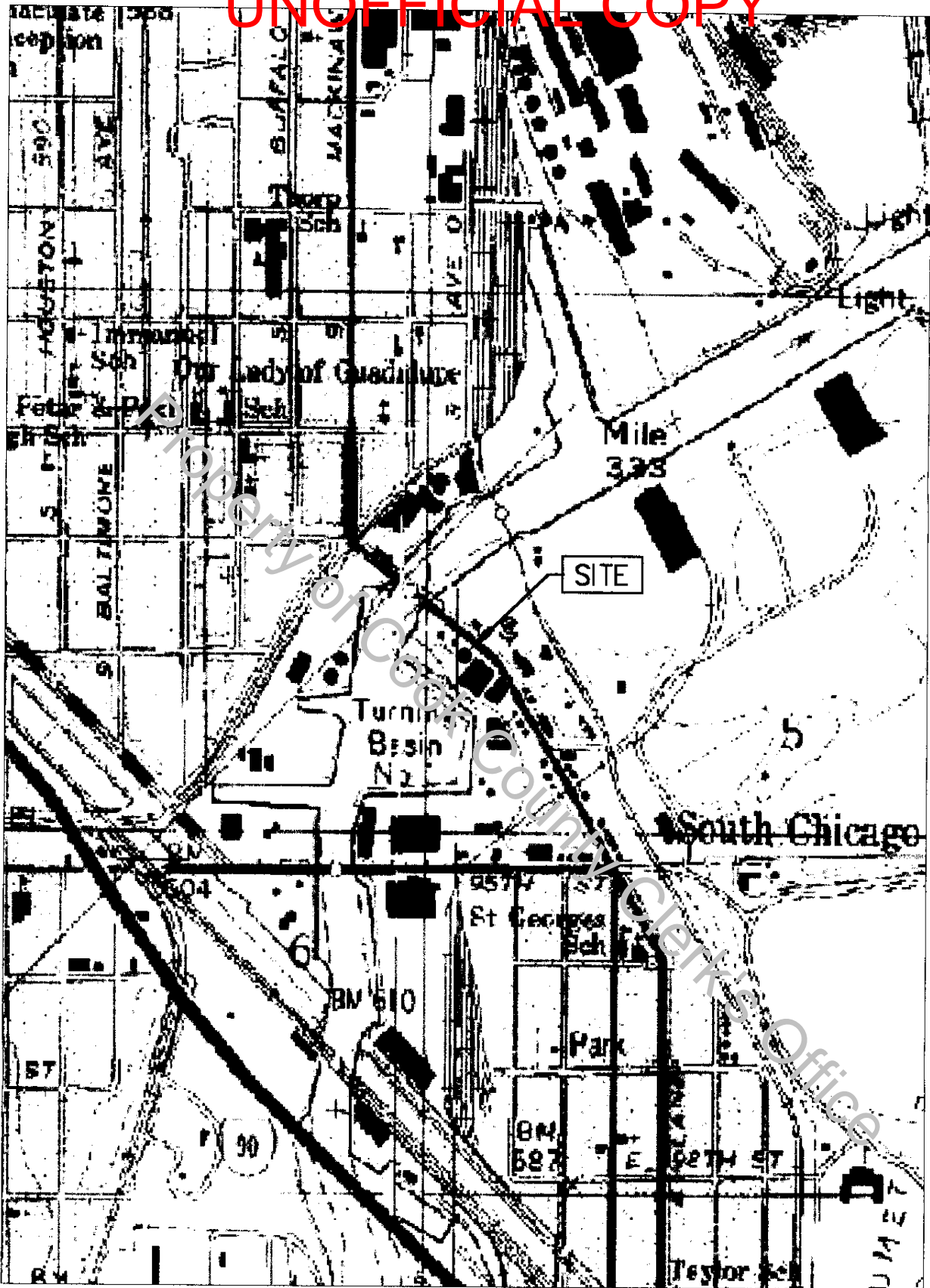
PARCEL 3: PERMANENT TAX INDEX NUMBER = 26-05-300-001-0000

A TRIANGULAR SHAPED PORTION OF LAND BEING A PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, COOK COUNTY, ILLINOIS, DESCRIBE AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 5, WITH THE SOUTHWESTERLY LINE OF EWING AVENUE; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF EWING AVENUE 78.11 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES 109.74 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 5; THENCE NORTH ALONG SAID WEST LINE, A DISTANCE OF 134.70 FEET TO THE POINT OF BEGINNING.

PARCEL 4: PERMANENT TAX INDEX NUMBER = 26-05-300-004-0000

THE NORTH 75 FEET OF THE SOUTH 200 FEET LYING NORTH OF AND PARALLEL TO THE NORTH LINE OF TAYLOR'S SECOND ADDITION TO SOUTH CHICAGO, LYING WEST OF EWING AVENUE AND LYING EAST OF THE CALUMET RIVER TURNING BASIN NO. 1, AND EXCEPT A STRIP OF LAND 25 FEET IN WIDTH, USED FOR RAILROAD PURPOSES, BEING A PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, COOK COUNTY, ILLINOIS.

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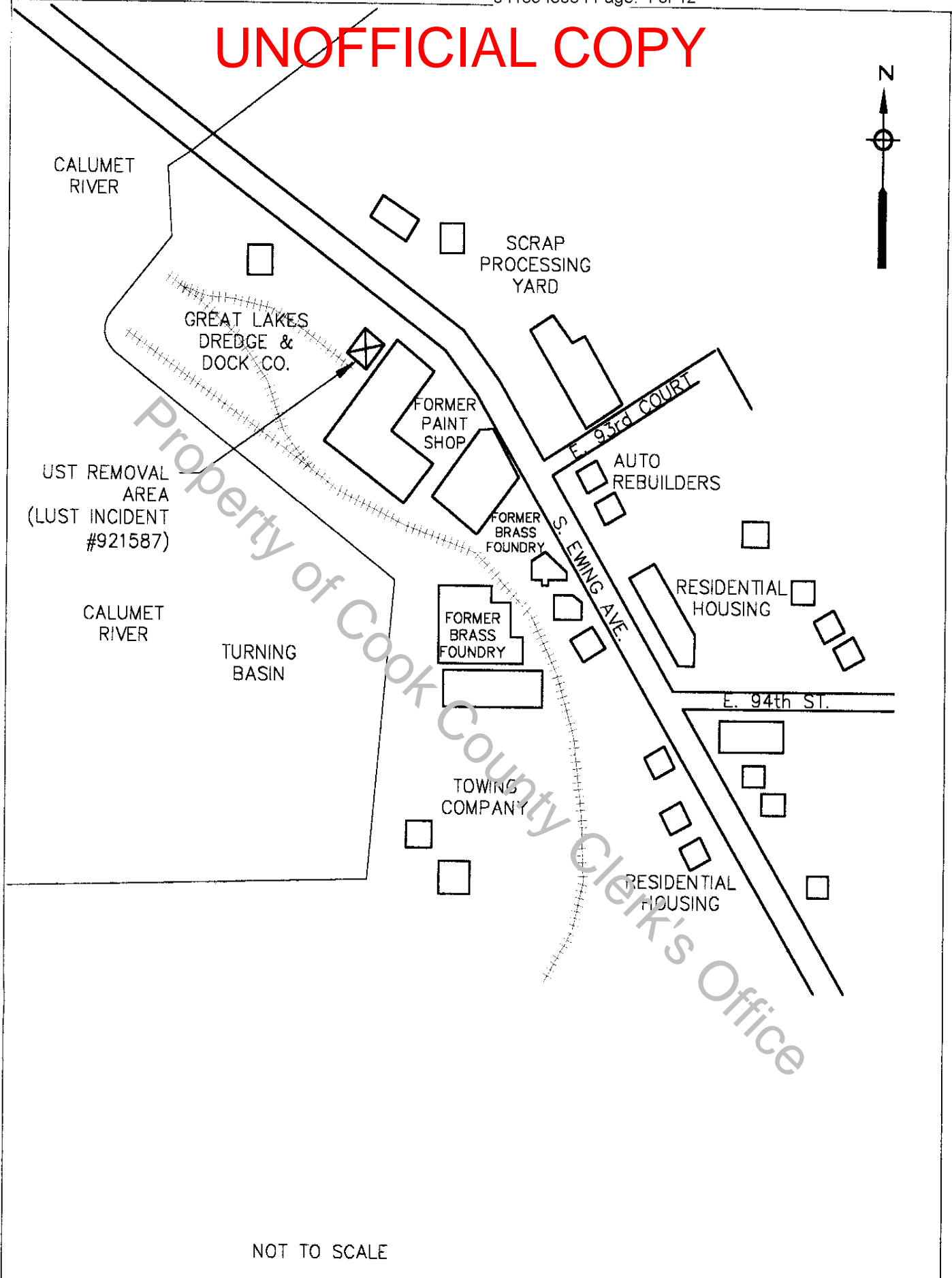


RemTech
REMEDICATION TECHNOLOGIES, LTD.
249 BENNETT LANE, DES PLAINES, ILLINOIS 60016

GREAT LAKES DREDGE & DOCK CO.
9320 S. EWING AVE., CHICAGO, IL.
SITE LOCATION MAP

| APPROV. BY | CHECKED BY | DRAWN BY | DATE | DWG. No. | REV. |
|------------|------------|----------|---------|----------|------|
| HA | HA | DHR | 5/30/03 | FIG. 1 | 0 |

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NOT TO SCALE

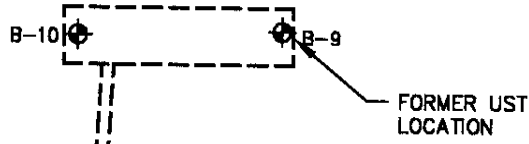
RemTech
 REMEDIATION TECHNOLOGIES, LTD.

249 BENNETT LANE, DES PLAINES, ILLINOIS 60016

GREAT LAKES DREDGE & DOCK CO.
 9320 S. EWING AVE., CHICAGO, IL.
 SITE MAP

| APPROV. BY | CHECKED BY | DRAWN BY | DATE | DWG. No. | REV. |
|------------|------------|----------|---------|----------|------|
| HA | HA | DHR | 5/30/03 | FIG. 1 | 0 |

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B-11

B-8

B-13

B-7

B-14

B-17

PIPELINE

B-16

B-1

B-6

B-5

RAILROAD TRACK



GP-2



FORMER PUMP ISLAND

GP-1

BUILDING WALL

GP-3

BUILDING INTERIOR

OVERHEAD DOOR

◆ DENOTES SOIL BORING LOCATIONS.

THIS FIGURE PREPARED
BASED ON FIGURE BY
TECH SERVICES CO.,
INC.

SCALE: 3/32" = 1'-0"

RemTech
REMEDICATION TECHNOLOGIES, LTD.
249 BENNETT LANE, DES PLAINES, ILLINOIS 60016

GREAT LAKES DREDGE & DOCK CO.
9320 S. EWING AVE., CHICAGO, IL.
SOIL BORING LOCATION MAP

| APPROV. BY | CHECKED BY | DRAWN BY | DATE | DWG. No. | REV. |
|------------|------------|----------|----------|----------|------|
| HA | HA | DHR | 10/01/03 | FIG. 2 | 0 |

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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

RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois Environmental Protection Agency's (Illinois EPA) Bureau of Land/Leaking Underground Storage Tank Section issues a No Further Remediation (NFR) Letter after a demonstration of compliance with Title XVI of the Environmental Protection Act and applicable regulations is made. The NFR Letter 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 so long as the site is used in accordance with the terms and conditions of the NFR Letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined at Section 57.10(d) of the Environmental Protection Act. (See 415 ILCS 5/57.10(d).) If not properly recorded, the Illinois EPA *will take steps* to void the NFR Letter in accordance with the regulations.

Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the NFR Letter, with a copy of any applicable institutional controls proposed as part of a corrective action completion report, to the Office of the Recorder or the Registrar of Titles of the county in which the site is located *within 45 days after receipt of the NFR Letter*. You must record the NFR Letter and any attachments. The NFR Letter shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions and terms of approval including level of remediation; land use limitations; and preventive, engineering, and institutional controls. A certified or otherwise accurate and official copy of the NFR Letter and any attachments, as recorded, must be submitted to the Illinois EPA. Failure to record the NFR Letter in accordance with the regulations will make the NFR Letter voidable.

For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on the Illinois EPA Web site at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

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

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 1251 5020

JUN 30 2004

Great Lakes Dredge & Dock
 Attention: Glenn Dawson
 9320 South Ewing Avenue
 Chicago, Illinois 60617

Re: LPC #0316525013 -- Cook County
 Chicago / Great Lakes Dredge & Dock
 9320 South Ewing Avenue
 LUST Incident No. #921597
 LUST Technical File

Dear Mr. Dawson:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report (report) submitted for the above-referenced incident. This report was dated December 29, 2003 and was received by the Illinois EPA on January 2, 2004. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and associated Professional Engineer Certification submitted pursuant to Section 57.7(b)(5) of the Act indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(b) of the Act have been satisfied.

Based upon the certification by Henry Adamiak, 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:

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. Great Lakes Dredge & Dock, 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 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. In addition, the Groundwater Ordinance (photocopy attached) must be filed as an attachment of this Letter with the Office of the Recorder or Registrar of Titles of the applicable county. 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: 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.

Groundwater Use Ordinance

Section 11-8-390 of the Municipal Code of Chicago effectively prohibits the installation of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the City of Chicago must receive written notification from the owner or operator desiring to use the ordinance as an institutional control that groundwater remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA in accordance with 35 Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

- a. The name and address of the unit of local government;
- b. The citation of the ordinance used as an institutional control in this Letter;

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- c. A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d. A statement that the ordinance restricting the groundwater use was used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e. A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f. A statement as to where more information may be obtained regarding the ordinance.

The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:

- a. Modification of the reference ordinance to allow potable uses of groundwater.
- b. Approval of a site-specific request, such as a variance, to allow use of groundwater at the site.
- c. Violation of the terms of a recorded institutional control.

As a part of its corrective action, the leaking underground storage tank site has relied upon Section 11-8-390 of the Municipal Code of Chicago that prohibits potable uses of groundwater as defined therein.

- 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:

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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 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;
 - 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, Eric Kuhlman, at 217/785-5715.

Sincerely,



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

HAC:EK:EK\

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

c: Remediation Technologies, Ltd
Division File

Property of Cook County Clerk's Office