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PREPARED BY:

Name: Shell Oil Products US
Address: 14659 South Cicero
Midlothian, Illinois 60445

Doc#: 0509827057
Eugene "Gene" Moore Fee: \$38.50
Cook County Recorder of Deeds
Date: 04/08/2005 12:31 PM Pg: 1 of 8

RETURN TO:

Name: Shell Oil Products US
Address: 603 Diehl Rd., Suite 103
Naperville, Illinois 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: 0311925029

LUST Incident No.: 991057

Shell Oil Products US, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 603 Diehl Rd., Suite 103, Naperville, Illinois 60563, 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: Attached
2. Common Address: 14659 South Cicero, Midlothian, Illinois
3. Real Estate Tax Index/Parcel Index Number: 28-10-116-043-0000
4. Site Owner: Faysal Mohamed
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.

CTB

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SCALE IN FEET

 0 40

 LEGEND

 - - - - - PROPERTY BOUNDARY

 MONITORING WELL LOCATION

 ABANDONED OR TEMPORARY WELL

 SOIL BORING LOCATION

FIGURE 6

AREAS SUBJECT TO

INSTITUTIONAL CONTROLS

FORMER SHELL

SERVICE STATION #137103

14659 S. CICERO AVENUE

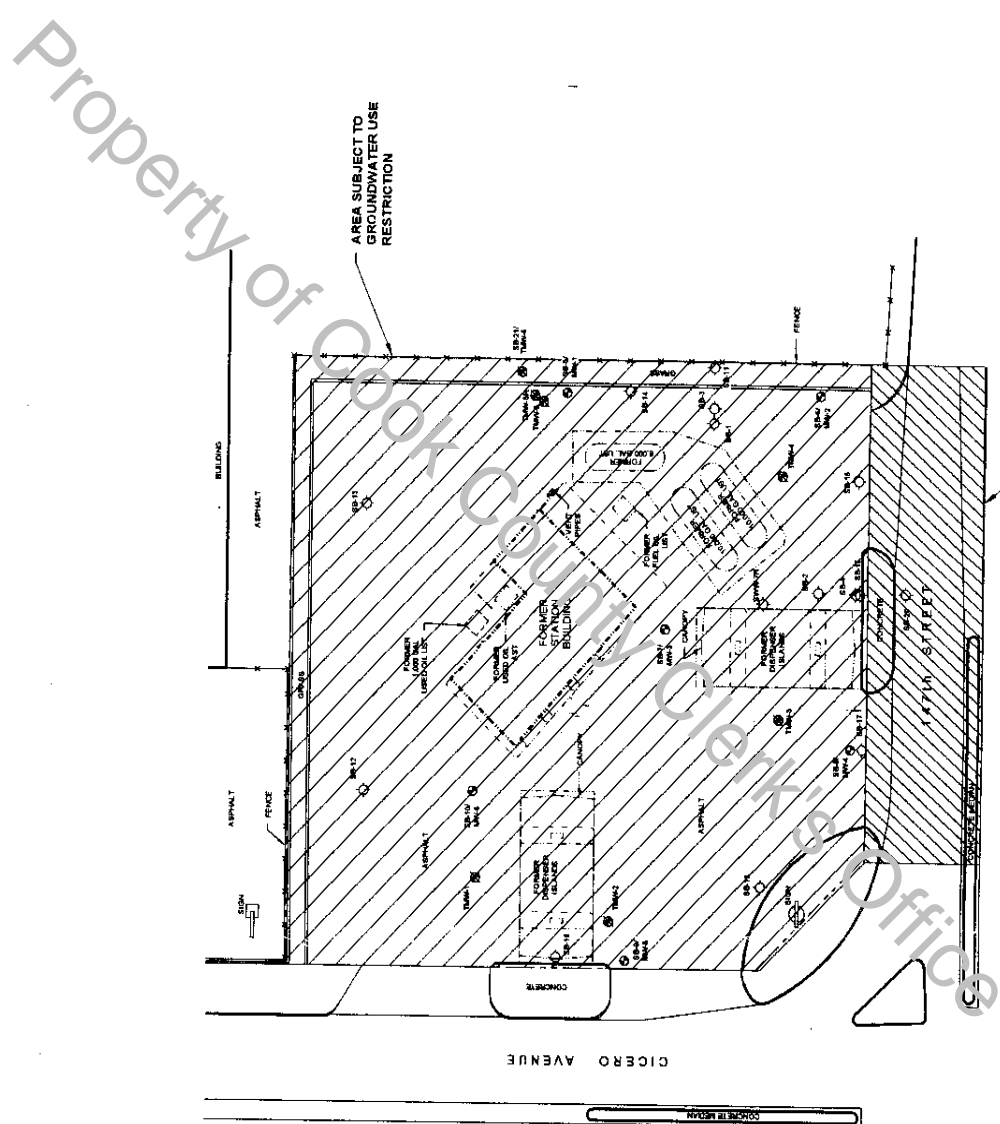
MIDLOTHIAN, ILLINOIS

DRAWN BY: KM	REVISIONS BY: KTM
DATE: 1/29/03	DATE: 1/29/03
SCALE: 1"=40'	REVISION:
CAD: CONMAP.DWG	PROJECT: 03095

NOT A LEGAL SURVEY. DRAWING BASED ON DOCUMENTATION PROVIDED BY SHELL OIL PRODUCTS COMPANY. LOCATIONS BY NESA PERSONNEL. ALL LOCATIONS ARE APPROXIMATE.

NESA & ASSOCIATES, INC.

 815.426.1232



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Ginocchio Enterprises, Inc.

Title Searching Services

1850 N. Clark Street
Chicago, Il. 60614
Bus. (847)740-8400
Fax (847) 546-0994

LEGAL DESCRIPTION AND PIN NUMBER

Prepared For
HANDEX ENVIRONMENTAL
1701 WEST QUINCY AVE.
SUTTE 10
NAPERVILLE, IL. 60540

File or Job No. Shell Service Station

PIN No. 28-10-116-043-0000

Address 14659 South Cicero Avenue, Midlothian, Il.

Legal THE SOUTH 210.66 FEET AND THE WEST 184.71 FEET OF
LOT 26 FIRST ADDITION TO MIDLOTHIAN GARDENS
EXCEPT THAT PART TAKEN FOR CICERO AVENUE
(ROUTE 50) A SUBDIVISION OF THE NORTHWEST
1/4 OF SECTION 10 TOWNSHIP 36 NORTH RANGE 13
EAST OF THE THIRD PRINCIPAL MERIDIAN,
RECORDED 9/26/17 AS DOCUMENT NUMBER 619939,
IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

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 1105 8146

MAR 10 2005

Shell Oil Products US
 Attn: John R. Robbins
 603 Diehl Rd., Suite 103
 Naperville, Illinois 60563

137103

Re: LPC # 0311923029 -- Cook County
 Midlothian/ Equilon Enterprises
 14659 South Cicero
 LUST Incident No. 991057
 LUST Technical File

Dear Mr. Robbins:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the High Priority Corrective Action Completion Report submitted for the above-referenced incident. This information is dated December 1, 2004 and was received by the Illinois EPA on December 6, 2004. Citations in this letter are from the Environmental Protection Act (Act) and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The High Priority Corrective Action Completion Report and associated Professional Engineer Certification 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(c)(1)(E) of the Act and 35 Ill. Adm. Code 732.409(a)(2) have been satisfied.

Based upon the certification by Shailendra Ganna, 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. Shell Oil Products US, 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 Mail 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 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 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.

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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: On-Site Groundwater Use Restriction: 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.

Worker Caution: 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: 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.

Highway Authority Agreement

State of Illinois Department of Transportation 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 14659 South Cicero. Specifically, as shown on the attached map, contamination will remain in the right-of-way for 147th Street, as indicated in the Highway Authority Agreement. The Highway Authority agrees to: (a) prohibit the use of 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

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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:

State of Illinois Department of Transportation
 District One Engineer, John Kos
 201 West Center Court
 Schaumburg, Illinois 60196-1096
 (847) 705-4000

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 avoidance 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 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 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;

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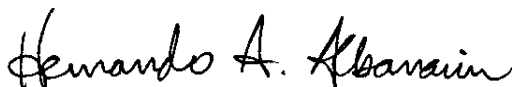
- b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- d. The failure to 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

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Clayton Bloome, at 217/524-1288.

Sincerely,



Hernando A. Albarracin
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAA:CTB\

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

cc: Jeshua Hansen, NES & Associates, Inc.
Division File