

# UNOFFICIAL COPY

PREPARED BY:



Name: James Zemak  
Greif, Inc.

Doc#: 0609616070 Fee: \$34.50  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 04/06/2006 10:09 AM Pg: 1 of 6

Address: 14153 South Western Avenue  
Dixmoor, IL 60426

RETURN TO:

Name: James Zemak  
Greif Paper, Packaging & Services, LLC

Address: 425 Winter Road  
Delaware, OH 43015

(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: 0310665010

LUST Incident No.: 20051005

Greif Paper, Packaging & Services, LLC, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 425 Winter Road, Delaware, Ohio, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries:  
Parcel 1: A parcel of land in the Northwest Fractional quarter of Fractional Section 7, Township 36 North, Range 14 East of the Third Principal Meridian, north of the Indian Boundary Line, said parcel of land being bounded and described as follows: Commencing at the point of intersection of the northeasterly line of Harvey Avenue (being a line 40 feet measured perpendicularly, northeasterly from and parallel with the northeasterly right of way line of the Grand Trunk Western Railroad Company) with the easterly line of Dixie Highway (Western Avenue) said point of intersection being 259.60 feet south from the north line and 491.17 feet east from the west line of said Fractional Section 7 and running thence northerly along said easterly line of Dixie Highway (being a line which intersects the north line of said Fractional Section 7 at a point thereon which is 446.30 feet east from the northwest corner thereof) a distance of 100 feet to the southwest corner of the parcel of land hereby described and the point of beginning for the description thereof; running thence east from said point of beginning, along a line which is parallel with the North line of said Fraction Section 7, a distance of 217.98 feet to its intersection with a line 200.0 feet, measured perpendicularly northeasterly from and parallel with said northeasterly line for Harvey Avenue; thence

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southeastwardly along said parallel line a distance of 545.0 feet; thence northeastwardly along a line which is perpendicular to the last described parallel line a distance of 325.0 feet; thence north along a line which is perpendicular to the north line of said Fractional Section 7, a distance of 203.79 feet to its intersection with a line which is 30.0 feet, measured perpendicularly, south from and parallel with said north line of said Fractional Section 7; thence west along the last described parallel line a distance of 871.60 feet to its intersection with said easterly line of Dixie Highway and thence southwestwardly along said easterly line of Dixie Highway a distance of 133.18 feet to the point of beginning. Containing 6.147 acres of land, more or less.

Parcel 2. A parcel of land in the Northwest Fractional quarter of Fractional Section 7, Township 36 North, Range 14 East of the Third Principal Meridian, north of the Indian Boundary line, said parcel of land being bounded and described as follows: Beginning at the most southerly corner of the property conveyed by deed recorded in the Recorder's Office of Cook County, Illinois on December 18, 1963, as Document No. 19002698, said point of beginning being 111.0 feet northeasterly from the northeasterly line of Harvey Avenue and on a line drawn perpendicular to said northeasterly line of Harvey Avenue from a point thereon which is 750.0 southeasterly from its intersection with the easterly line of Dixie Highway (Western Avenue); thence northwestwardly along the southwestwardly line of the property so conveyed a distance of 177.87 feet to the most northerly corner thereof; thence southeastwardly along the northeasterly line of the property so conveyed (said northeasterly property line being identical with the southwestwardly line of the property conveyed by deed recorded in said Recorder's Office on January 2, 1964, as Document No. 19013667) a distance of 48.56 feet to the most southerly corner of the property conveyed by said Document 19013667; thence northeastwardly along the southeasterly line of the property conveyed by said Document No. 19013667 a distance of 325 feet to its intersection with the east line of said property; thence south along a southward prolongation of the east line of the property conveyed by said Document No 19013667 a distance of 173.67 feet to its intersection with the northeastward prolongation of the southeasterly line of the property conveyed by said Document 19002698 and thence southwestwardly along said northeastward prolongation and along said southeasterly property line, a distance of 275.01 feet to the point of beginning. Containing 33,846 square feet of land, more or less.

2. Common Address: 14153 South Western Avenue, Dixmoor, Illinois
3. Real Estate Tax Index/Parcel Index Number: 29-07-101-005-0000, 29-07-101-008-0000
4. Site Owner: Greif Paper, Packaging & Services, LLC
5. Land Use Limitation: The land use shall be industrial/commercial. 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.

SJ\Greif 20051005 CACR.doc

**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

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

**CERTIFIED MAIL**

7004 2510 0001 8654 1220

**FEB 08 2006**

Greif Paper, Packaging & Services, LLC  
 Attn: James Zemak  
 425 Winter Road  
 Delaware, OH 43015

Re: LPC #0310665010 -- Cook County  
 Dixmoor/Greif, Inc.  
 14153 South Western Avenue  
 LUST Incident No. 20051005  
 LUST Technical File

Dear Mr. Zemak:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45 Day Report (Revision) submitted for the above-referenced incident. This information was dated December 2005 and was received by the Illinois EPA on January 9, 2006. 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 the Professional Engineer Certification submitted pursuant to Section 57.6 of the Act indicate the remediation objectives have been met.

Based upon the certification by Thomas Ponder, Jr., 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. Greif Paper, Packaging & Services, LLC, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.

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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 have been established in accordance with an industrial/commercial land use limitation. 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 land use shall be industrial/commercial. 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:

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- 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.
 

**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, 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:
 

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

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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:

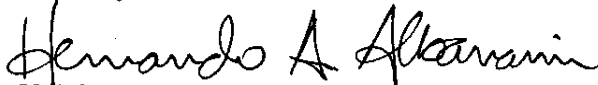
- a. Any violation of institutional controls or industrial/commercial land use restrictions;
- b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c. The disturbance or removal of contamination that has been left in-place 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

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Steve Jones, at 217/524-1253.

Sincerely,



Unit Manager  
 Leaking Underground Storage Tank Section  
 Division of Remediation Management  
 Bureau of Land

HAA: SJGreif 20051005 CACR.doc

Attachments: Leaking Underground Storage Tank Environmental Notice

c: TRC Environmental Corp.  
 Division File