

# UNOFFICIAL COPY

PREPARED BY:



Name: Exxon Mobil Oil Corporation  
Address: 1201 West Dundee Road  
Wheeling, Illinois 60090-3904

Doc#: 0614546001 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 05/25/2006 08:45 AM Pg: 1 of 10

RETURN TO:

Name: Exxon Mobil Oil Corporation  
Address: Post Office Box 874  
Joliet, Illinois 60434-0874

10

(THE ABOVE SPACE FOR RECORDER'S OFFICE)

## LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE

THE OWNER AND / OR OPERATOR OF THE LEAKING UNDERGROUND STORAGE TANK SYSTEMS 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: 0313240010  
LUST Incident Number: 892283

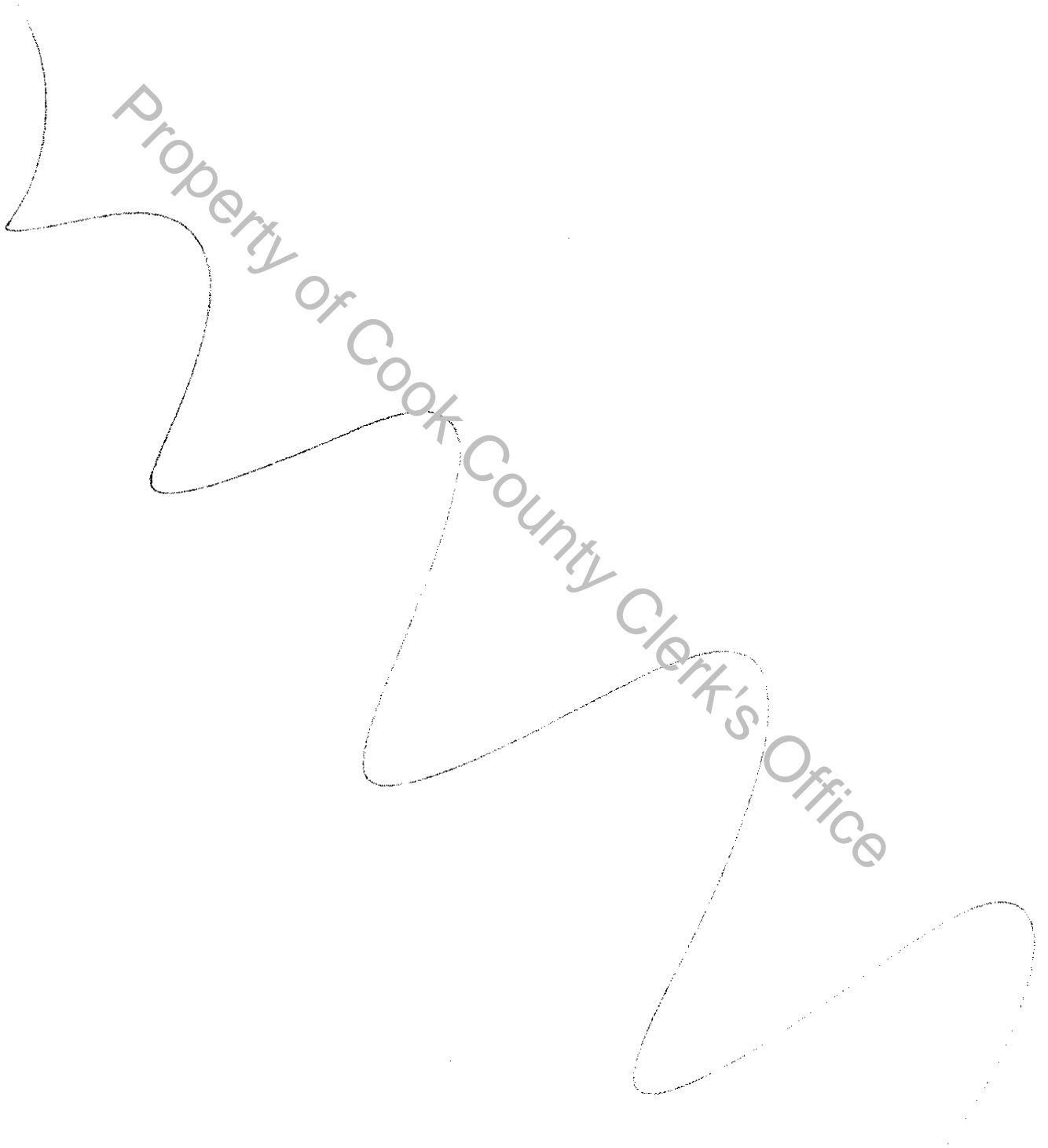
Exxon Mobil Oil Corporation, the owner and / or operator of the leaking underground storage tank systems associated with the above referenced incident, whose address is Post Office Box 874, Joliet, Illinois, 60434-0874, has performed investigative and / or remedial activities for the site identified as follows and depicted on the attached Site Base Map:

1. Legal Description or Reference to a Plat Showing the Boundaries: Please refer to Attachment 1.
2. Common Address: 1201 West Dundee Road, Wheeling, Illinois, 60090-3904.
3. Real Estate Tax Index / Parcel Index Number: Please refer to Attachment 1.
4. Site Owner: Glenn Kaplan.
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.

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ATTACHMENT 2

LEAKING UNDERGROUND STORAGE TANK ENVIRONMENTAL NOTICE



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**David D. Orr**

**Clerk of Cook County**

**COUNTY OF COOK MAP DEPARTMENT**

Date: 11-23-2005

**THIS CERTIFIES THAT THE PERMANENT REAL ESTATE INDEX NUMBER KNOWN AS:**

**03 - 09 - 207 - 033 - 0000**

**BEARS THE FOLLOWING LEGAL DESCRIPTION:**

THE NORTH 175FT OF THE EAST 175FT OF LOT 599 AS MEASURED ON THE NORTH AND EAST LINES OF SAID LOT IN HOLLYWOOD RIDGE UNIT 2, A RESUBDIVISION OF LOT 17 AND PART OF LOT 18 IN OWNER'S DIVISION OF BUFFALO CREEK FARM, A SUBDIVISION OF SECTIONS 2,3,4,9 AND 10 TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



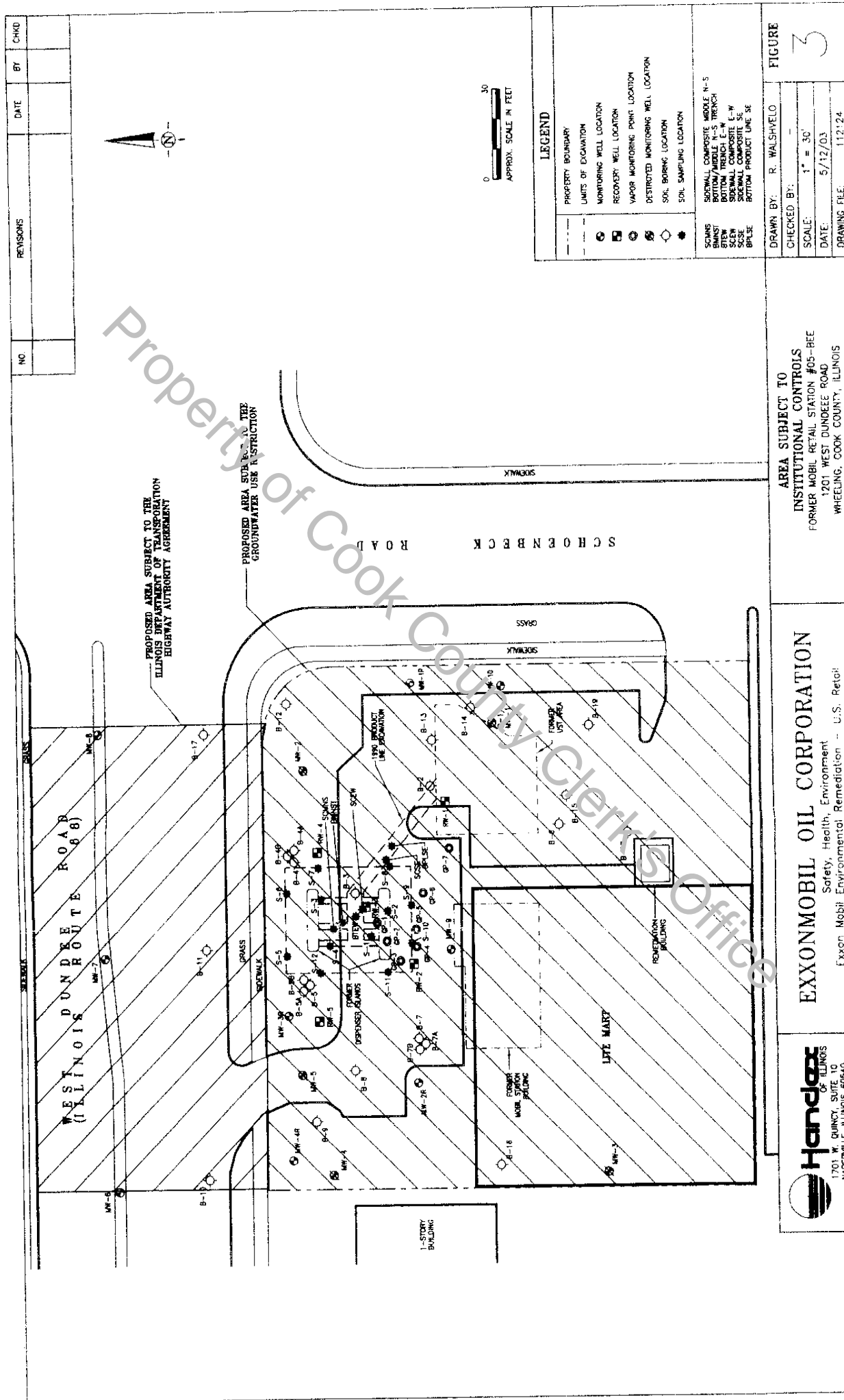
Fee: \$5.00

A handwritten signature in cursive script, appearing to read "David D. Orr", is written over a horizontal line.

Supervisor of Maps and Plats

Property of Cook County Clerk's Office

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- 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  
Division of Remediation Management  
Leaking Underground Storage Tank Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Any questions regarding this letter should be directed to Michael Piggush via phone (217-782-3101), fax (217-524-4195), or e-mail ([epa4200@epa.state.il.us](mailto:epa4200@epa.state.il.us)).

Sincerely,



Michael T. Lowder  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

Attachments (2):

1. Site Information.
2. Leaking Underground Storage Tank Environmental Notice.

cc: Glenn Kaplan  
Groundwater & Environmental Services  
Division File

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ATTACHMENT 1

SITE INFORMATION

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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

DOUGLAS P. SCOTT, DIRECTOR

217-782-6762

REC'D MAY 15 2006

CERTIFIED MAIL

MAY 12 2006

7004 2510 0001 8655 3711

Exxon Mobil Oil Corporation  
 Post Office Box 874  
 Joliet, Illinois 60434-0874

RE: LPC 0313240010 - Cook County  
 Wheeling - Exxon Mobil Service Station 05-BEE  
 1201 West Dundee Road  
 LUST Incident 892283  
 LUST TECHNICAL FILE

Gentlemen:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above referenced incident. This information was dated December 23, 2005, was received by the Illinois EPA on December 27, 2005, and was prepared by Groundwater & Environmental Services. Citations in this letter are from 35 Illinois Administrative Code.

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

Based upon the certification by David Tully, 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. Exxon Mobil Oil Corporation, the owner or operator of the underground storage tank systems.
2. Any parent corporation or subsidiary of such owner or operator.

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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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 Illinois Administrative Code 742) rules.
2. As a result of the release from the underground storage tank systems 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. a. 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.
- b. Engineering:
- None.
- c. Institutional:
- i. 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.
  - ii. Highway Authority Agreement:
 

The Illinois Department of Transportation agrees, through the use of a Highway Authority Agreement dated September 22, 2004, to allow contaminated groundwater and / or soil to remain beneath its highway right of way adjacent to the site located at 1201 West Dundee Road, Wheeling, Illinois, 60090-3904. Specifically, as shown on the attached map, contamination will remain in the right of way for West Dundee Road, 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 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:

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Illinois Department of Transportation  
District 1 Engineer  
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 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 Illinois Administrative 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, Illinois 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 tanks 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;