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PREPARED BY:

Name: Dr. Ben Nowakowski
J. Sterling Morton High School District 201

Address: 3145 South 55th Avenue
Cicero, Illinois 60804

Doc#: 0723422059 Fee: \$58.50
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/22/2007 10:28 AM Pg: 1 of 18

RETURN TO:

Name: Dr. Ben Nowakowski
J. Sterling Morton High School District 201

Address: 3145 South 55th Avenue
Cicero, Illinois 60804

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0310515371

J. Sterling Morton High School District 201, the Remediation Applicant, whose address is 3145 South 55th Avenue, Cicero, Illinois 60804 has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: That part of Block 6 in Grant Land Association Resubdivision of Section 21, Township 39 North, Range 13 East of the Third Principal Meridian according to the plat thereof recorded March 4, 1913 as Document 5138385 described as follows: Beginning at the intersection of the South line of Block 6 aforesaid and the West line of South 54th Avenue per Document 5138385 and running thence North 89 Degrees 02 Minutes 06 Seconds West along said South line of Block 6 a distance of 354.00 feet to a point on the West line of the South 50 feet of the East 354 feet of Block 6; thence North 00 Degrees 49 Minutes 14 Seconds East along said West line of the South 50.00 feet of the East 354 feet of Block 6 a distance of 50.00 feet to a point on the North line of the South 50 feet of the East 354 feet of Block 6; thence North 89 Degrees 02 Minutes 06 Seconds West along said North line of the South 50 feet of Block 6 a distance of 19.10 feet; thence North 01 Degree 18 Minutes 23 Seconds East, 80.36 feet; thence North 05 Degrees 27 Minutes 51 Seconds East, 70.00 feet to a point on the East line of a 20 foot easement per Document 8138322; thence North 79 Degrees 10 Minutes 24 Seconds West, 20.00 feet to a point on the West line of a 20 foot easement per document 8138322; thence South 10 Degrees 49 Minutes 36 Seconds West along said West line of a 20 foot easement a distance of 149.70 feet to a point on a line being 56.08 feet North of the Easterly extension of the South line of West 19th Street; thence North 00 Degrees 50 Minutes 19 Seconds East, 284.97 feet; thence South 89 Degrees 10 Minutes 46 Seconds East, 412.38 feet to a point on the West line of South 54th Avenue aforesaid; thence South 00 Degrees 49 Minutes 14 Seconds West along said West line of 54th Avenue a distance of 342.09 feet to the point of beginning, in Cook County, Illinois.

(Illinois EPA Site Remediation Program Environmental Notice)

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2. Common Address: 1860 South 54th Avenue, Cicero, Illinois
3. Real Estate Tax Index/Parcel Index Number: 16-21-306-020-0000
4. Remediation Site Owner: J. Sterling Morton High School District 201
5. Land Use: Residential or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

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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) 782-6761

August 16, 2007

CERTIFIED MAIL

7004 2510 0001 8623 1190

Dr. Ben Nowakowski
 J. Sterling Morton High School District 201
 3145 South 55th Avenue
 Cicero, Illinois 60804

Re: 0310515370/Cook County
 Cicero/J. Sterling Morton High School Freshman Center – Parcel V
 Site Remediation Program/Technical Reports
 No Further Remediation Letter

Dear Dr. Nowakowski:

The July 12, 2007 *Remedial Action Completion Report* (received July 16, 2007/07-34432), as prepared by Carnow, Conibear & Assoc., LTD. for the J. Sterling Morton High School Freshman Center – Parcel V property, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”) and demonstrates that the remedial action was completed in accordance with the *Remedial Action Plan* (received October 26, 2006/06-31488), revised on December 12, 2006/06-31982.

The Remediation Site, consisting of 3 acres, is located at 1860 South 54th Avenue, Cicero, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act (“Act”) (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA’s Site Remediation Program DRM-1 Form (March 10, 2003/03-0917), is J. Sterling Morton High School.

This comprehensive No Further Remediation Letter (“Letter”) signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

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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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 2) The land use 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 Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 3) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Engineering Controls:

- 4) The asphalt barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. This asphalt barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 5) The clean soil barrier, which is comprised of a minimum of 3 feet of clean soil covering the area shown in the attached Site Base Map, must remain over the contaminated soils. This clean soil barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 6) The building, as shown in the attached Site Base Map, must remain over the contaminated soils. This building must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Institutional Controls:

- 7) Ordinance 140-97, adopted October 28, 1997 by the Town of Cicero effectively prohibits the installation and use of potable water supply wells in the Town of Cicero. This ordinance provides an acceptable institutional control under the following conditions:
 - a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.

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- b) The Remediation Applicant shall provide written notification to the Town of Cicero and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
- i) The name and address of the local unit of government;
 - ii) The citation of Ordinance 140-97;
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
- c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date this Letter is recorded to.

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date this Letter is recorded of written notification to the Town of Cicero and affected property owner(s) of the intent to use Ordinance 140-97 as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter

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- 8) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 9) The Remediation Applicant has remediated the release associated with Leaking UST Incident Number 20060117 and 20060273 (LPC # 0310515228).
- 10) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph Seven (7) of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 11) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program Form*. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 12) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:
- Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
- 13) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
- a) Any violation of institutional controls or the designated 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 Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
 - d) The failure to comply with the recording requirements for this Letter;

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- e) Obtaining the Letter by fraud or misrepresentation;
 - 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;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 14) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) J. Sterling Morton High School;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or

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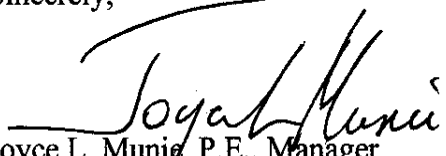
- k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.
- 15) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the J. Sterling Morton High School Freshman Center – Parcel V property.
- 16) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to.

Robert E. O'Hara
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

- 17) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the J. Sterling Morton High School Freshman Center – Parcel V property, you may contact the Illinois EPA project manager, Jennifer M. Seul at 217/785-9399.

Sincerely,


 Joyce L. Munis, P.E., Manager
 Remedial Project Management Section
 Division of Remediation Management
 Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
 Site Base Map
 Property Owner Certification of No Further Remediation Letter under the Site Remediation Program Form

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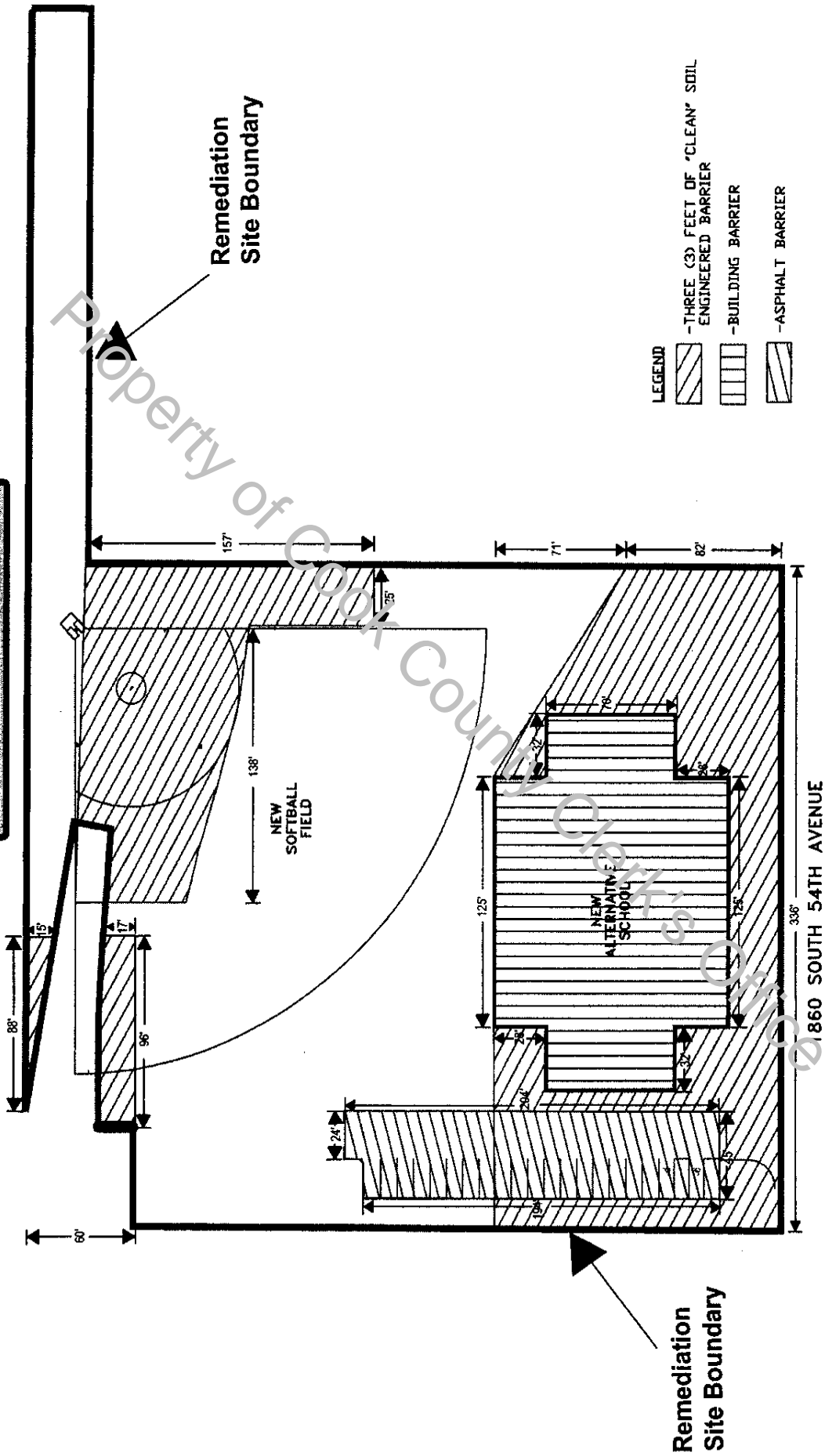
cc: Kristy Carlstrom
Carnow, Conibear & Assoc., LTD.
300 West Adams Street, Suite 1200
Chicago, Illinois 60606

Carol Nissen
TetraTech EM Inc.
One South Wacker Drive
Suite 3700
Chicago, Illinois 60606

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Site Base Map
 0310515370 - Cook County
 J. Sterling Morton High School Freshman
 Center (Parcel V)
 Site Remediation Program



CCA CARNOW, CONIBEAR & ASSOC., LTD.
 ENVIRONMENTAL ENGINEERING DEPT.
 300 WEST ADAMS STREET, SUITE 1200
 CHICAGO, IL 60606
 PHONE (312)782-4486
 FAX # (312)782-5145

EXHIBIT VII - SITE BASE MAP
 J. STERLING MORTON HIGH SCHOOL FRESHMAN CENTER (PARCEL V)
 LPC#0310515370 ADDRESS - 5401 WEST 16TH STREET, CICERO, ILLINOIS
 PARCEL V ADDRESS - 1860 SOUTH 54TH AVENUE
 CICERO, ILLINOIS
 DRAWN BY : KC
 CHECKED BY : DB
 DATE : JUNE 2006
 SCALE : 1" = 80'

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: _____	
Title: _____	
Company: _____	
Street Address: _____	
City: _____ State: _____ Zip Code: _____ Phone: _____	
Site Information	
Site Name: _____	
Site Address: _____	
City: _____ State: _____ Zip Code: _____ County: _____	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. _____	
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
Owner's Signature: _____	Date: _____
SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____, 20__	
_____ Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

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Municipality: Cicero

County: Cook

LPC Number:

OC: 97112501

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MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF CICERO
AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING
THE
USE OF A LOCAL GROUNDWATER OR WATER WELL ORDINANCE AS AN
ENVIRONMENTAL INSTITUTIONAL CONTROL

I. PURPOSE AND INTENT

A. This Memorandum of Understanding ("MOU") between The Town of Cicero and the Illinois Environmental Protection Agency ("Illinois EPA") is entered into for the purpose of satisfying the requirements of 35 ILL. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls. The Illinois EPA has reviewed the groundwater or water well ordinance of The Town of Cicero (Attache A) and determined that the ordinance prohibits the use of groundwater for potable purposes and/or the installation and use of new potable water supply wells by private entities but does not expressly prohibit those activities by the unit of local government itself. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the unit of local government may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.

B. The intent of this Memorandum of Understanding is to specify the responsibilities that must be assumed by the unit of local government to satisfy the requirements for MOU as set forth at 35 Ill. ADM. Code 742-1015(I).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

In order to endure the long-term integrity of the groundwater or water well ordinance as an environmental institutional control and that risk to human health and environment from contamination left in place in reliance on the groundwater or water well ordinance is effectively managed, The Town of Cicero hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742-1015(I):

A. The Town of Cicero will notify the Illinois EPA Bureau of Land of any proposed ordinance changes or requests for variance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(I)(4));

B. The Town of Cicero will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA (35 Ill. Adm. Code 742.1015(I)(5));

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C. The Town of Cicero will review the registry of sites established under Paragraph II.B, prior to siting public potable water supply wells within the area covered by the ordinance (35 Ill. ADM. Code 742.1015(I)(6)(A));

D. The Town of Cicero will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.B. and C. (35 Ill. Adm. Code 742.1015(I)(6)(B); and

E. The Town of Cicero will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1014(I)(6)(C).

NOTE: Notification under paragraph II. A. above or other communications concerning this MOU should be directed to:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P. O. Box 19276
Springfield, IL 62794-9276

III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(I) and is attached to this MOU:

A. Attachment A - A copy of the groundwater or water well ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(I)(3);

B. Attachment B - Identification of the legal boundaries within which the ordinance is applicable (certification by city clerk or other official that the ordinance is applicable everywhere within the corporate limits; if ordinance is not applicable throughout the entire city or village, legal description and map of area showing sufficient detail to determine where ordinance is applicable) (35 Ill. Adm. Code 742.1014(I)(2);

C. Attachment C - A statement of the authority of the unit of local government to enter into the MOU (council resolution, code of ordinances, inherent powers of mayor or other official signing MOU .. attach copies)(35 Ill. Adm. Code 742.1015(I)(1).

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IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

Date: 11-3-97

Betty Loren-Maltese
Betty Loren-Maltese, President - Town of Cicero

Date: 12/17/07

Gary P. King
(name and title of signatory)

For: Illinois Environmental Protection Agency
Manager, Division of Remediation
Management

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THE TOWN OF CICERO

STATE OF ILLINOIS
4937 WEST 25th STREET
CICERO, ILLINOIS 60804

TEL: (708) 654-2500, Ext. 200
FAX: (708) 654-2501

MARYLIN COLPO
VICE OF THE TOWN CLERK

CERTIFICATION

I, Marilyn Colpo, duly elected Town Clerk of the Town of Cicero, hereby certify that the attached Ordinance # 140-97, entitled Prohibiting the use of Ground Water as a Potable Water Supply by the Installation or use of Potable Water Supply Wells or by any other Method is a true & correct copy, passed at a meeting of the President and Board of Trustees of the Town of Cicero held October 28, 1997.

Marilyn Colpo
MARYLIN COLPO, TOWN CLERK

Property of Cook County Clerk's Office

RELEASABLE

OCT 24 2000

REVIEWER MD

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AN AMENDED ORDINANCE PROHIBITING THE USE OF GROUND WATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the Town of Cicero, Illinois, have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentration of certain chemical constituents in the ground water beneath the Town may exceed Class J groundwater quality standards for potable resource ground water as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Town of Cicero desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productivity of properties that are the source of said chemical constituents.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF CICERO, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

Except as otherwise provided in this Code of Ordinances, the use or attempt to use as a potable water supply groundwater from within the corporate limits of the Town of Cicero by the installation or drilling of wells or by any other method is hereby prohibited. This provision shall not apply to use of groundwater by the Town of Cicero.

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each violation.

Section Three. Definitions.

"Person is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents, or assigns.

"Potable water" is any water used for human or domestic consumption, including, but not limited to, water used for drinking.

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This ordinance is applicable everywhere within the corporate limits of the Town of Cicero.

Section Four. Effective Date.

This ordinance shall take effect upon its passage and approval.

Betty Loren - Matrese
Betty Loren-Matrese, President - Town of Cicero

ATTEST:

Marilyn Colpo
Marilyn Colpo, Town Clerk

Date of Passage: 10-28-97

Date of Publication: _____

Copy: Bulletin Bd
Water
Mun Code
Legal

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