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PREPARED BY:

Name: Seung Kim, Owner
Morton Cleaners

Address: 5932 West Irving Park Road
Chicago, Illinois 60634

Doc#: 0734622081 Fee: \$60.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 12/12/2007 12:45 PM Pg: 1 of 19

RETURN TO:

Name: Seung Kim, Owner
Morton Cleaners

Address: 5932 West Irving Park Road
Chicago, Illinois 60634

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: 0316175006.

Morton Cleaners, the Remediation Applicant, whose address is 5932 West Irving Park Road, Chicago, Illinois 60634, 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: LOT 16 AND LOT 17 EXCEPT THE WEST 2 FEET OF LOT 17 IN BLOCK 13 IN McINTOSH BROTHERS IRVING PARK BOULEVARD ADDITION TO CHICAGO, A SUBDIVISION OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
2. Common Address: 5932-34 West Irving Park Road, Chicago, IL.
3. Parcel Index Number: 13-17-421-032-0000.
4. Remediation Site Owner: Ms. Seung Kim.
5. Land Use: Industrial/Commercial.
6. Site Investigation: Focused.

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

November 26, 2007

CERTIFIED MAIL

7007 0220 0000 0152 7135

Seung Kim, Owner
 Morton Cleaners
 5932 West Irving Park Road
 Chicago, Illinois 60631

Re: 0316175006/Cook County
 Chicago/Morton Cleaners
 Site Remediation Program/Technical Reports
 No Further Remediation Letter

Dear Ms. Kim:

The *Response to Illinois EPA Comments Regarding the September 20, 2005 Focused Site Investigation Report, Remediation Objectives Report, and Remedial Action Completion Report* (October 31, 2007/Log No. 07-35689), as prepared by Pioneer Engineering & Environmental Services, Inc., for the Morton Cleaners property, has been reviewed by the Illinois Environmental Protection Agency (“Illinois EPA”). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the above Report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.185 acres, is located at 5932-34 West Irving Park Road, Chicago, 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 (June 28, 2002/Log No. 05-2519), is Morton Cleaners.

This focused 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 for the specified recognized environmental conditions so long as the Site is 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 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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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
 - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.
- 2) The Remediation Site is restricted to Industrial/Commercial land use.
- 3) 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

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

Institutional Controls:

- 5) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:
 - a) The Remediation Applicant shall provide written notification to the City of Chicago 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 Section 11-8-390;
 - 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.

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- b) 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

- c) 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 City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter.

Other Terms

- 6) Pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), all statutory and regulatory corrective action requirements applicable to the occurrence involving Leaking UST Incident Number 20041683 have been completed. This Letter constitutes the Illinois EPA's final decision regarding the above-referenced Leaking UST incident.
- 7) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph No. 5 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.
- 8) 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.
- 9) Further information regarding this Remediation 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
 Attn: Freedom of Information Act Officer
 Bureau of Land-#24
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

- 10) 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 voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance 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;
 - 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.
- 11) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Morton Cleaners;
 - 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;

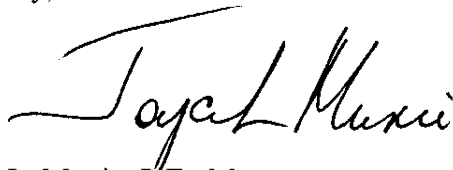
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- e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
- f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, 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
- 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.
- 12) 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 Morton Cleaners property.
- 13) 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
- 14) 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.

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If you have any questions regarding the Morton Cleaners property, you may contact the Illinois EPA project manager, Marc Cummings at (217) 782-9079.

Sincerely,



Joyce L. Munie, 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
Table A. Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form

cc: Megan Wells-Paske
Pioneer Engineering & Environmental Services, Inc.
700 North Sacramento Blvd., Suite 101
Chicago, Illinois 60612

Commissioner
Chicago Department of Environment
25th Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575

Property of Cook County Clerk's Office

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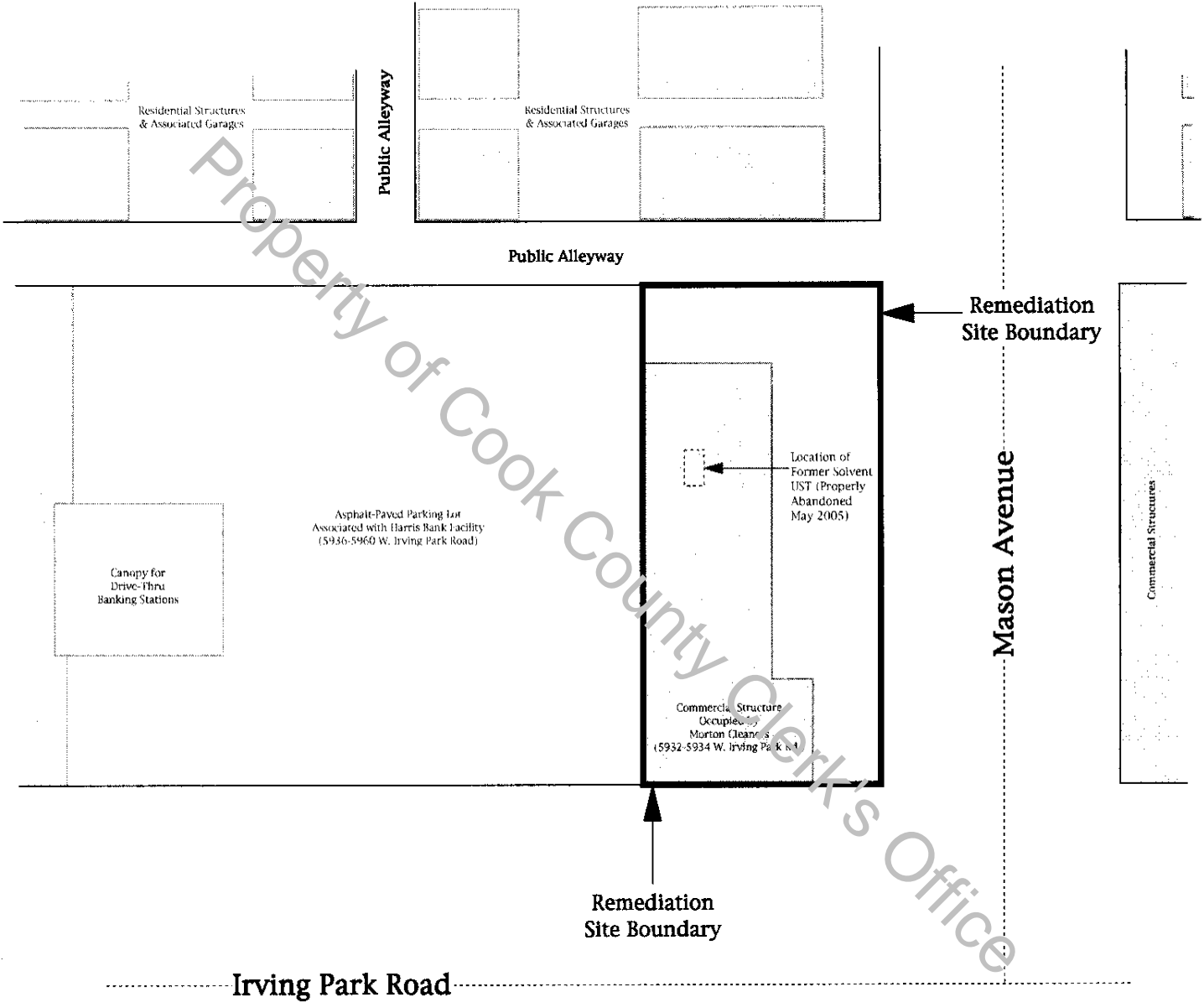
Site Base Map

ILD #0316175006 - Cook County

Chicago / Morton Cleaners

Site Remediation / Technical Reports

North

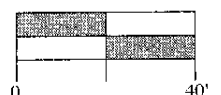


Various Commercial & Mixed-Use Structures & Associated Parking Lots

Remediation Site Legal Description:

Lot 16 and Lot 17 Except the West 2 Feet of Lot 17 in Block 13 in McIntosh Brothers Irving Park Boulevard Addition to Chicago, a Subdivision of Section 17, Township 40 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Scale: 1" = 40'



Date: October 2007

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SITE REMEDIATION PROGRAM
TABLE A: REGULATED SUBSTANCES OF CONCERN
0316175006 – MORTON CLEANERS

Volatile Organic Compounds

CAS No.	Compound Name
67-64-1	Acetone
71-43-2	Benzene
75-27-4	Bromodichloromethane
75-25-2	Bromoform
74-83-9	Bromomethane
78-93-3	2-Butanone (MEK)
71-36-3	n-Butyl Alcohol
75-75-0	Carbon Disulfide
56-23-5	Carbon Tetrachloride
108-90-7	Chlorobenzene
124-48-1	Dibromochloromethane
75-00-3	Chloroethane
67-66-3	Chloroform
74-87-3	Chloromethane
96-12-8	1,2-Dibromo-3-Chloropropane
106-93-4	1,2-Dibromomethane
75-34-3	1,1-Dichloroethane
107-06-2	1,2-Dichloroethane
75-35-4	1,1-Dichloroethene
156-60-5	<i>trans</i> -1,2-Dichloroethene
156-59-2	<i>cis</i> -1,2-Dichloroethene
78-87-5	1,2-Dichloropropane
10061-02-6	<i>trans</i> -1,3-Dichloropropene
10061-01-5	<i>cis</i> -1,3-Dichloropropene
100-41-4	Ethylbenzene
591-78-6	2-Hexanone
1634-04-4	Methyl Tertiary Butyl Ether (MTBE)
75-09-2	Methylene Chloride
108-10-1	4-Methyl-2-Pentanone (MIBK)
100-42-5	Styrene
127-18-4	Tetrachloroethene
79-34-5	1,1,2,2-Tetrachloroethane
79-01-6	Trichloroethene
71-55-6	1,1,1-Trichloroethane
79-00-5	1,1,2-Trichloroethane
108-88-3	Toluene
108-05-4	Vinyl Acetate
75-01-4	Vinyl Chloride
1330-20-7	Xylenes (total)

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STATE OF ILLINOIS-

County of Cook ss.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office for an amendment of Title 11, Chapter 8 of Municipal Code of Chicago by addition of new Section 390 defining potable water and prohibiting use of certain groundwater collection device to supply any potable water supply system.

I DO FURTHER CERTIFY that the said ordinance was adopted by the City Council of the said City of Chicago on the twenty-eighth (28th) day of November, A.D. 2001 and deposited in my office on the twenty-eighth (28th) day of November, A.D. 2001.

I DO FURTHER CERTIFY that the vote on the question of the adoption of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

Yeas 47. Nays 0.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the adoption thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with his written objections thereto at the next regular meeting of the said City Council occurring not less than five (5) days after the adoption of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this sixth (6th) day of December, A.D. 2001.

[L.S.]


 JAMES J. LASKI, City Clerk.

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SUBSTITUTE

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The Municipal Code of the City of Chicago is hereby amended by adding a new Section 11-8-390, as follows:

11-8-390 Potable water wells.

For purposes of this section, "potable water" is any water used for human consumption, including but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown. No groundwater well, cistern or other groundwater collection device installed after May 14, 1997, may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by a unit of local government pursuant to intergovernmental agreement with the City of Chicago.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.

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MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHICAGO, ILLINOIS AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER REMEDIATION" DETERMINATIONS BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO THE CITY OF CHICAGO

I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") is entered into between the City of Chicago, Illinois ("the City") and the Illinois Environmental Protection Agency ("Illinois EPA") for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that the City will be provided with copies of all "No Further Remediation" letters or determinations issued by the Illinois EPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable the City to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5). The Illinois EPA has reviewed Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago as amended by Ordinance Number 097990 ("Potable Water Supply Well Ordinance"), attached as Attachment A, and has determined that the Municipal Code of Chicago prohibits the installation and use of new potable water supply wells by private entities but will allow the installation of potable water supply wells by the City and other units of local government pursuant to intergovernmental agreements with the City. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the City 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 (a) specify the responsibilities that must be assumed by the City to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i), and (b) require the Illinois EPA to provide the City with copies of all "No Further Remediation" letters or determinations that the Illinois EPA issues for sites located within the City of Chicago to enable the City to maintain a registry of sites pursuant to 35 Ill. Adm. Code 742.1015(i)(5).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

- A. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance is effectively managed, the City hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(i):

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1. The City will notify the Illinois EPA Bureau of Land of any changes to or requests for variance from the Potable Water Supply Well Ordinance 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));
2. The City will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA pursuant to specific programs (35 Ill. Adm. Code 742.1015(i)(5));
3. If the City determines to install a new potable water supply well(s), the City will review the registry of sites established under paragraph II.A.2. prior to siting such potable water supply well(s) within the area covered by the Potable Water Supply Well Ordinance, pursuant to 35 Ill. Adm. Code 742.1015(i)(6)(A);
4. If the City determines to install a new potable water supply well(s), the City 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.A.2. and 3. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and
5. If the City determines to install a new potable water supply well(s), the City 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 742.1015(i)(6)(C));
6. If the City enters into intergovernmental agreements under Section 11-8-390 of the Municipal Code of Chicago to allow other units of local government to install new potable water supply well(s) within the corporate limits of the City, the City will require compliance with the procedures set forth in paragraphs II.A.3., 4., and 5. as a part of such agreements.
7. Notification under paragraph II.A.1. above, or other communications concerning this MOU directed to the Illinois EPA, shall be addressed to:

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

- B. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance or other specific programs can be effectively managed, the Illinois EPA hereby assumes

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the following responsibilities:

1. The Illinois EPA will provide the City with copies of all "No Further Remediation" letters or determinations that it issues pursuant to 35 Ill. Adm. Code 742, and other specific programs, for sites located within the boundaries of the City at the time said letters or determinations are provided to remediation applicants.
2. Copies of "No Further Remediation" letters or determinations provided to the City pursuant to paragraph II.B.1. above, or other communications concerning this MOU directed to the City, shall be addressed to:

Commissioner
 Chicago Department of Environment
 25th Floor
 30 North LaSalle Street
 Chicago, IL 60602-2575

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 Potable Water Supply Well Ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3)) and a statement of the authority of the City to enter into the MOU (35 Ill. Adm. Code 742.1015(i)(1));
- B. Attachment B: Identification of the legal boundaries within which the Potable Water Supply Well Ordinance is applicable (35 Ill. Adm. Code 742.1015(i)(2)); and

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

FOR: The City of Chicago, Illinois

BY: *Gregory L. Henderson* DATE: *July 1, 1997*
Commissioner
Department of Environment
City of Chicago

FOR: Illinois Environmental Protection Agency

BY: *Geary P. King* DATE: *July 3, 1997*
(Name and title of signatory)
Division of Remediation Management
Bureau of Land

Version 6/27/97

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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CITY CLERK'S OFFICE — CITY OF CHICAGO

FORM C.C. 424 3M 4-95

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Chapter 11-8 of the Municipal Code of Chicago is hereby amended by adding a new Section 11-8-385 and by amending Section 11-8-390 by inserting the language in italics, as follows:

11-8-385 Potable Water Defined.

Potable water is any water used for human consumption, including, but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown.

11-8-390 Prohibited Use Of Secondary Water; Prohibited Installation Of New Potable Water Supply Wells.

No secondary water shall overflow into or be discharged into any surge tank, storage tank or reservoir, or shall in any way be piped or conveyed into the water supply system of any building, structure, or premises to become a part of or be mixed with the fresh water supply from the mains of the Chicago Waterworks System either inside of the premises or in the water service pipe. Secondary water shall not be piped to or used in any plumbing fixture, or for cooling crushers, rollers, or mixers where foods, candies, liquids or materials are manufactured for human or animal consumption. No connection, cap, or opening shall be made in a water distribution system other than an approved water distribution system which will permit such water being used for drinking.

Wherever the fire-protective equipment in any building, structure or premises has service from the Chicago Waterworks System, no pipe or other conduit which conveys secondary water shall be cross-connected to the fire-protective equipment. All fire-protective equipment connected to the Chicago Waterworks System shall be constructed in such manner that

EXHIBIT**A**

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all tanks, pipes, pumps, surge tanks, and fire hydrants can be thoroughly drained, flushed and cleaned by the owners of such equipment and premises and there shall be no direct connections from the tanks, pipes and other equipment to any drainage pipes or sewers. *No groundwater well, cistern or other groundwater collection device installed after the effective date of this amendatory ordinance may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by units of local government pursuant to intergovernmental agreement with the City of Chicago.*

SECTION 2. Section 2-30-030 of the Municipal Code of Chicago is hereby amended by deleting the language in brackets and inserting the language in italics, as follows:

2-30-030 Commissioner - Powers And Duties Designated.

The commissioner of the environment shall have the following powers and duties:

* * * * *

(21) To enter into grant agreements, cooperation agreements and other agreements or contracts with governmental entities, private business and civic and community groups necessary to implement the Green Streets Program and other urban forestry, beautification and environmental enhancement programs; *and agreements to implement the State of Illinois Site Remediation Program,*

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

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STATE OF ILLINOIS, ss.
County of Cook.

I, JAMES J. LASKI, City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office an ordinance amending Title 11, Chapter 8 and Title 2, Chapter 30 of the Municipal Code of Chicago by establishment of definition of potable water, regulation of potable water supply system and empowerment of commissioner of environment for implementation of State of Illinois Site Remediation Program.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the fourteenth (14th) day of May, A. D. 1997 and deposited in my office on the fourteenth (14th) day of May, A. D. 1997.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit:

Yeas 47 Nays None

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor failed to return the said ordinance to the said City Council with ~~his~~ written objections thereto at the next regular meeting of the said City Council occurring not less than five days after the passage of the said ordinance.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this twenty-seventh (27th) day of June, A. D. 1997

[L. S.]

James J. Laski
JAMES J. LASKI, City Clerk.

UNOFFICIAL COPY



City of Chicago
Richard M. Daley, Mayor

Department of Environment

Henry L. Henderson
Commissioner

Twenty-fifth Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575
(312) 744-7606 (Voice)
(312) 744-6451 (FAX)
(312) 744-3586 (TTY)
<http://www.ci.chi.il.us>

July 1, 1997

Mr. Gary P. King
Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
1001 N. Grand Avenue, East
Springfield, IL 62702

RECEIVED

JUL 03 1997

I.E.P.A. / B.O.L.

Re: Chicago Ordinance No. 097990

Dear Mr. King:

Pursuant to 35 Ill. Adm. Code 742.1015(I)(2), Section 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance No. 097990, apply to all areas within the corporate limits of the City of Chicago.

Sincerely,

Henry L. Henderson
Commissioner

cc: Mort Ames
Asst. Corp. Counsel



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