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Doc#: 0934850013 Fee: \$54.00
Eugene "Gene" Mocre RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 12/14/2009 10:38 AM Pg: 1 of 10

PREPARED BY:

Name: Lake Shore Country Club

Address: 1255 Sheridan Road
Glencoe, Illinois 60022

RETURN TO:

Name: Lake Shore Country Club

Address: 1255 Sheridan Road
Glencoe, Illinois 60022

(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: 0310995021

Leaking UST Incident No.: 20050398

Lake Shore Country Club, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1255 Sheridan Road Glencoe, Illinois, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: THAT PART OF THE NORTHEAST ¼ OF SECTION 1 TOWNSHIP 42 NORTH RANGE 12 EAST OF 3rd PRINCIPAL MERIDIAN LYING EAST OF A STRIP OF LAND 66 FEET WIDE MEASURED AT RIGHT ANGLES TO THE NORTHEASTERLY LINE OF THE CHICAGO & MILWAUKEE ELECTRIC RAILROAD RIGHT OF WAY CONTAINING 3.429 Acres.
2. Common Address: Lake Shore Country Club
3. Real Estate Tax Index/Parcel Index Number: 04-01-200-004
4. Site Owner: Lake Shore Country Club
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation 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) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

CERTIFIED MAIL

NOV 17 2009

7007 2560 0003 2090 2346

Lake Shore Country Club
Attn: Jeffrey Frentz
1255 Sheridan Road
Glencoe, Illinois 60022

Re: LPC # 0310995027 -- Cook County
Glencoe/ Lake Shore Country Club
1255 Sheridan Drive
Leaking UST Incident No. 20050398 -- NFR Letter
Leaking UST Technical File

Dear Mr. Frentz:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated August 31, 2009 and was received by the Illinois EPA on September 8, 2009. 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 associated Licensed Professional Engineer Certification submitted pursuant to Section 57.7(b)(5) of the Act and 35 Ill. Adm. Code 734.135(d) indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(b) of the Act have been satisfied.

Based upon the certification by Ronald A. March, 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

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land -- Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

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environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

1. Lake Shore Country Club, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

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. In addition, the Groundwater Ordinance (photocopy attached) must be filed as an attachment of this Letter with the Office of the Recorder or Registrar of Titles of the applicable county. 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.

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CONDITIONS AND TERMS OF APPROVAL

LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: The groundwater under the site shall not be used as a potable water supply.
3. The land use limitation specified in this Letter may be revised if:
 - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

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.

Groundwater Use Ordinance

Ordinance 2000-31-3013 adopted by the Glencoe effectively prohibits the installation of potable water supply wells (and the use of such wells) and is an acceptable institutional control under the following conditions:

- a. The current owner or successor-in-interest of this site who relies on this ordinance as an institutional control shall:

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- 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 30 days after the date such action has been approved.

b. Each affected property owner, potentially affected property owner (as identified through contaminant modeling), and the Glencoe must receive written notification from the owner or operator desiring to use the ordinance as an institutional control that groundwater remediation objectives have been approved by the Illinois EPA. Written proof of this notification shall be submitted to the Illinois EPA in accordance with 35 Ill. Adm. Code 742.1015(b) and (c) within 45 days from the date this Letter is recorded. The notification shall include:

- i. The name and address of the unit of local government;
- ii. The citation of the ordinance used as an institutional control in this Letter;
- iii. A description of the property 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 was 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.

The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:

- a. Modification of the referenced ordinance to allow potable uses of groundwater.

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- b. Approval of a site-specific request, such as a variance, to allow use of groundwater at the site.
 - c. Violation of the terms of a recorded institutional control.
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 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the 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;

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- 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 Kasa, at 217-557-7048.

Sincerely,



Thomas A. Henninger
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

TAH:SK

Attachments: Leaking Underground Storage Tank Environmental Notice
City of Glencoe Groundwater Ordinance

c: Environmental Consulting & Testing, Inc.
BOL File

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ORDINANCE NO. 2000-31-3013

ORDINANCE AMENDING CHAPTER 36 OF THE GLENCOE VILLAGE CODE REGARDING PRIVATE WATER SUPPLY PIPES AND CONNECTIONS

WHEREAS, the Village of Glencoe operates and maintains a public water supply system providing a safe and adequate supply of potable water in conformance with applicable health standards and regulations; and

WHEREAS, in developing and maintaining such potable water supply system, the Village has issued bonds that are supported in part by the user fees generated from such water supply system; and

WHEREAS, the President and Board of Trustees of the Village have determined it is desirable and in the best interests of the Village and its residents to ensure that all residents of the Village utilize the Village's water supply system to best ensure the health of the public; and

WHEREAS, the President and Board of Trustees have further determined that, in order to assure the financial viability of the Village's water supply system, the procedures for connecting buildings to supplies of potable water should be modified to require connections to the Village Waterworks System, except in particular limited circumstances; and

WHEREAS, in furtherance of the foregoing concerns, the President and Board of Trustees have determined that it is desirable and in the best interests of the Village and its residents to amend its regulations regarding potable water supplies as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glencoe, County of Cook, and State of Illinois, as follows:

SECTION ONE. Recitals. The foregoing recitals are incorporated into and made a part of this ordinance as findings of the President and Board of Trustees.

SECTION TWO. Amendment of Section 36-13. Section 36-13, entitled "Private supply pipes and connections - Generally; application, etc.," of Article II, entitled "Water Supply," of Chapter 36, entitled "Water," of the Glencoe Village Code is hereby amended in its entirety, so that said Section 36-13 shall hereafter be and read as follows:

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- (a) Except for such uses or methods in existence before the effective date of this ordinance (or any applicable amendments hereto), any building, structure, or premises, or a portion thereof, shall be required to connect to the village waterworks system, or another municipal water system approved by the Village, in accordance with the procedure set forth in this Code. No building, structure, or premises so connected to the village waterworks system shall hereafter be connected to any auxiliary water supply. Except for such uses or methods in existence before the effective date of this ordinance, no person including the Village shall use the groundwater as a potable water supply. The installation of new potable water wells, cisterns, or other groundwater collection devices is prohibited. Any person violating the provisions of this Section shall be subject to penalties as set forth in this Code.
- (b) For the purpose of this Section, potable water is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.
- (c) For the purpose of this Section, 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, including the Village.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this 13th day of November, 2000.

AYES: Alessi, Bisgeier, Paley, Ruzicka, Savitt (5)
 NAYS: Pritikin (1)
 ABSENT: None (0)

APPROVED this 13th day of November, 2000.

/s/James O. Webb
 Village President

ATTEST:

/s/ Ruby Herron
 Village Clerk

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POSTED THIS 14th DAY OF November, 2000.

/s/ Ruby Herron
Village Clerk

PUBLISHED THIS 14th DAY OF November, 2000.

/s/ Ruby Herron
Village Clerk

APPROVED AS TO FORM

/s/ Victor Filippini
Village Attorney

Property of Cook County Clerk's Office