



Doc#: 0935115005 Fee: \$48.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 12/17/2009 08:50 AM Pg: 1 of 7

**PREPARED BY:**

Name: Con-Way Freight

Address: 4000 W. Lake Street  
Melrose Park, IL 60160

**RETURN TO:**

Name: Con-Way Freight

Address: 110 Parkland Plaza  
Ann Arbor, Michigan 48103

**(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: 0311865067

Leaking UST Incident No.: 20050744

Con-Way Freight, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 110 Parkland Plaza, Ann Arbor, Michigan, 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: See Attachment.
2. Common Address: 4000 W. Lake Street, Melrose Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 15-04-310-032-0000
4. Site Owner: Con-Way Freight
5. Land Use Limitation: The land use shall be industrial/commercial.
6. See the attached No Further Remediation Letter for other terms.

SP/mls/083433.doc

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B7  
N.M  
RC

**UNOFFICIAL COPY****ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR      DOUGLAS P. SCOTT, DIRECTOR

217/782-6762

**CERTIFIED MAIL**

7007 2560 0003 2093 1629

APR 04 2008

Con-Way Freight  
 Attn: Jeff Sexton  
 110 Parkland Plaza  
 Ann Arbor, Michigan 48103

Re: LPC # 0311855067 -- Cook County  
 Melrose Park/Con Way Central Express  
 4000 W. Lake Street  
 Leaking UST Incident No. 20050744  
 Leaking UST Technical File

Dear Mr. Sexton:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated January 3, 2008 and was received by the Illinois EPA on January 4, 2008. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and 35 Illinois Administrative Code (35 Ill. Adm. Code).

The Corrective Action Completion Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.7(b)(1) of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by Bob C. Soni, a Licensed Professional Engineer, and pursuant to Section 57.10 of the Act (415 ILCS 5/57.10), your request for a no further remediation determination is granted under the conditions and terms specified in this letter.

Issuance of this No Further Remediation Letter (Letter), based on the certification of the Licensed Professional Engineer, signifies that: (1) all statutory and regulatory corrective action requirements applicable to the occurrence have been complied with; (2) all corrective action concerning the remediation of the occurrence has been completed; and (3) no further corrective action concerning the occurrence is necessary for the protection of human health, safety, and the environment. Pursuant to Section 57.10(d) of the Act, this Letter shall apply in favor of the following parties:

1. Con-Way Freight, the owner or operator of the underground storage tank system(s).

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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Page 2

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.

## CONDITIONS AND TERMS OF APPROVAL

### LEVEL OF REMEDIATION AND LAND USE LIMITATIONS

1. The remediation objectives have been established in accordance with an industrial/commercial land use limitation. The remediation objectives for the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742) rules.
2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: The land use shall be industrial/commercial.
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.

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Page 3

## 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.

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;

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Page 4

- b. The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c. The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- d. The failure to comply with the recording requirements for the Letter;
- e. Obtaining the Letter by fraud or misrepresentation; or
- f. Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment.

Submit an accurate and official copy of this Letter, as recorded, to:

Illinois Environmental Protection Agency  
Bureau of Land - #24  
Leaking Underground Storage Tank Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Steve Putrich, at 217-782-6762.

Sincerely,



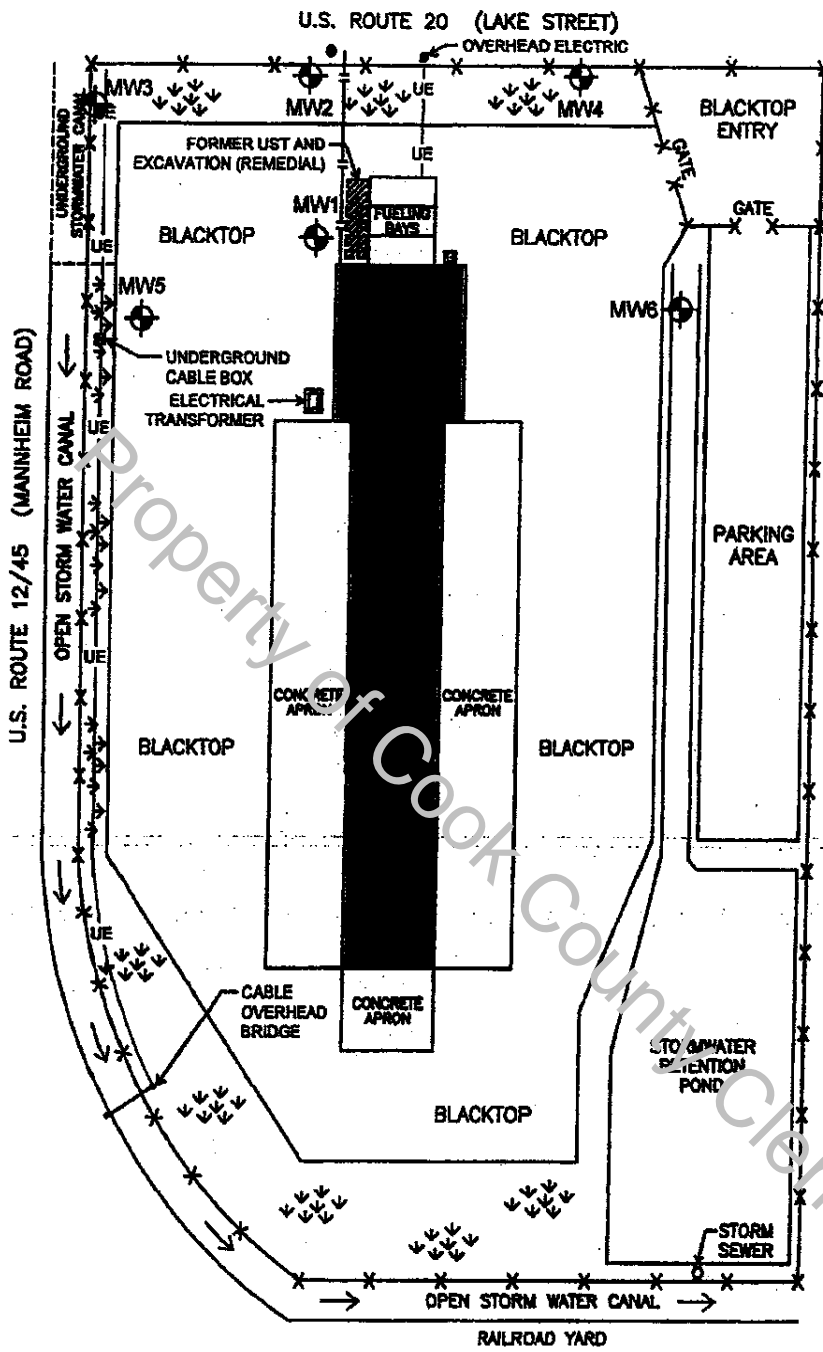
Michael T. Lowder  
Unit Manager  
Leaking Underground Storage Tank Section  
Division of Remediation Management  
Bureau of Land

MTL:SP:m/s/083433.doc

Attachments: Leaking Underground Storage Tank Environmental Notice  
Site Base Map  
Legal Description

- c: Superior Environmental Corp.  
BOL File

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<u>LEGEND</u>	
X — X — X	CHAINLINK FENCE
	GRASSY AREA (TYP.)

**FIGURE 2**  
**FORMER UST LOCATION**  
**AND REMEDIATION AREA**

**CONWAY CENTRAL EXPRESS**  
**4000 W. LAKE STREET**  
**MELROSE PARK, ILLINOIS**  
**LUST INCIDENT NO. 20050744**

project mgr.	TD	date drawn	1208/05
project #	RC1727.00	drawn by	WLG
RC1727.00/Conway Figures.dwg		revised	

*Superior*  
 ENVIRONMENTAL CORP

**UNOFFICIAL COPY****David D. Orr****Clerk of Cook County****COUNTY OF COOK MAP DEPARTMENT**Date: 01-22-2007

**THIS CERTIFIES THAT THE PERMANENT REAL ESTATE INDEX NUMBER KNOWN AS:**  
**15 - 04 - 310 - 032 - 0000** BEARS THE FOLLOWING LEGAL DESCRIPTION:

THAT PART OF THE SOUTHWEST QUARTER LYING SOUTH OF THE INDIAN BOUNDARY LINE (EXCEPT MANNE ET AL ROAD AND LAKE STREET AS WIDENED) COMMENCING ON THE WEST LINE OF SAID SOUTHWEST QUARTER EXTENDED NORTH TO THE INTERSECTION WITH THE ORIGINAL CENTERLINE OF LAKE STREET; THENCE SOUTH 78°23'00" EAST ALONG SAID CENTERLINE 599 FEET; THENCE NORTH 79°56'00" EAST ALONG SAID CENTERLINE 7.37 FEET; THENCE DUE SOUTH 741.13 FEET; THENCE WESTERLY ALONG A CURVED LINE CONVEX TO THE SOUTH HAVING A RADIUS OF 2774.04 FEET AND AN ARC DISTANCE OF 345.95 FEET; THENCE NORTH 80°14'30" WEST 122.64 FEET; THENCE DUE NORTH 101.47 FEET; THENCE NORTH 80° 4'20" WEST 122.64 FEET THENCE DUE NORTH 101.47 FEET THENCE NORTH 80 DEGREES 14'30" WEST 131.95 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ON SAID WEST LINE 6' 3.62 FEET TO THE POINT OF BEGINNING ALL IN THE SOUTHWEST QUARTER LYING SOUTH OF THE INDIAN BOUNDARY LINE OF SECTION 4 TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Fee: \$5.00

A handwritten signature in cursive script, appearing to read "Red Lye".

Supervisor of Maps and Plats