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PREPARED BY:

Name: Shell Oil Products US

Address: 2635 West 87th Street
Evergreen Park, Illinois 60619

RETURN TO:

Name: Shell Oil Products US

Address: 603 Diehl Road, Suite 103
Naperville, Illinois 60563

Doc#: 1018122103 Fee: \$58.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/30/2010 02:12 PM Pg: 1 of 12

(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: 0310845033

Leaking UST Incident No.: 20080955

Shell Oil Products US, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 603 Diehl Road, Suite 103, Naperville, Illinois 60563, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: See Attached
2. Common Address: 2635 West 87th Street, Evergreen Park, Illinois 60619
3. Real Estate Tax Index/Parcel Index Number: 24-01-202-009-0000, 24-01-202-010-0000, 24-01-203-029-0000.
4. Site Owner: RDK Ventures LLC
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

MAY 24 2010

7008 1830 0001 4713 9770

Shell Oil Products US
Attn.: John Robbins
603 Diehl Road, Suite 103
Naperville, Illinois 60563

Re: LPC #0310845033 -- Cook County
Evergreen Park/Shell Service Station #137033
2635 West 87th Street
Leaking UST Incident No. 20080955
Leaking UST Technical File

Dear Mr. Robbins:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report (CACR) submitted for the above-referenced incident. This information was dated April 29, 2010 and was received by the Illinois EPA on April 30, 2010. 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 David G. Tully, 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. Shell Oil Products US, 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: There are no land use limitations.
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

Groundwater Use Ordinance No.13-2004 adopted by the Village of Evergreen Park 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 Village of Evergreen Park 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 Matthew Urish, P.G., at 217/782-6762.

Sincerely,



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

MTL:MU/20080955.doc

Attachments: Environmental Notice Page
Institutional Control Location Map
Village of Evergreen Park Groundwater Ordinance
Legal Description

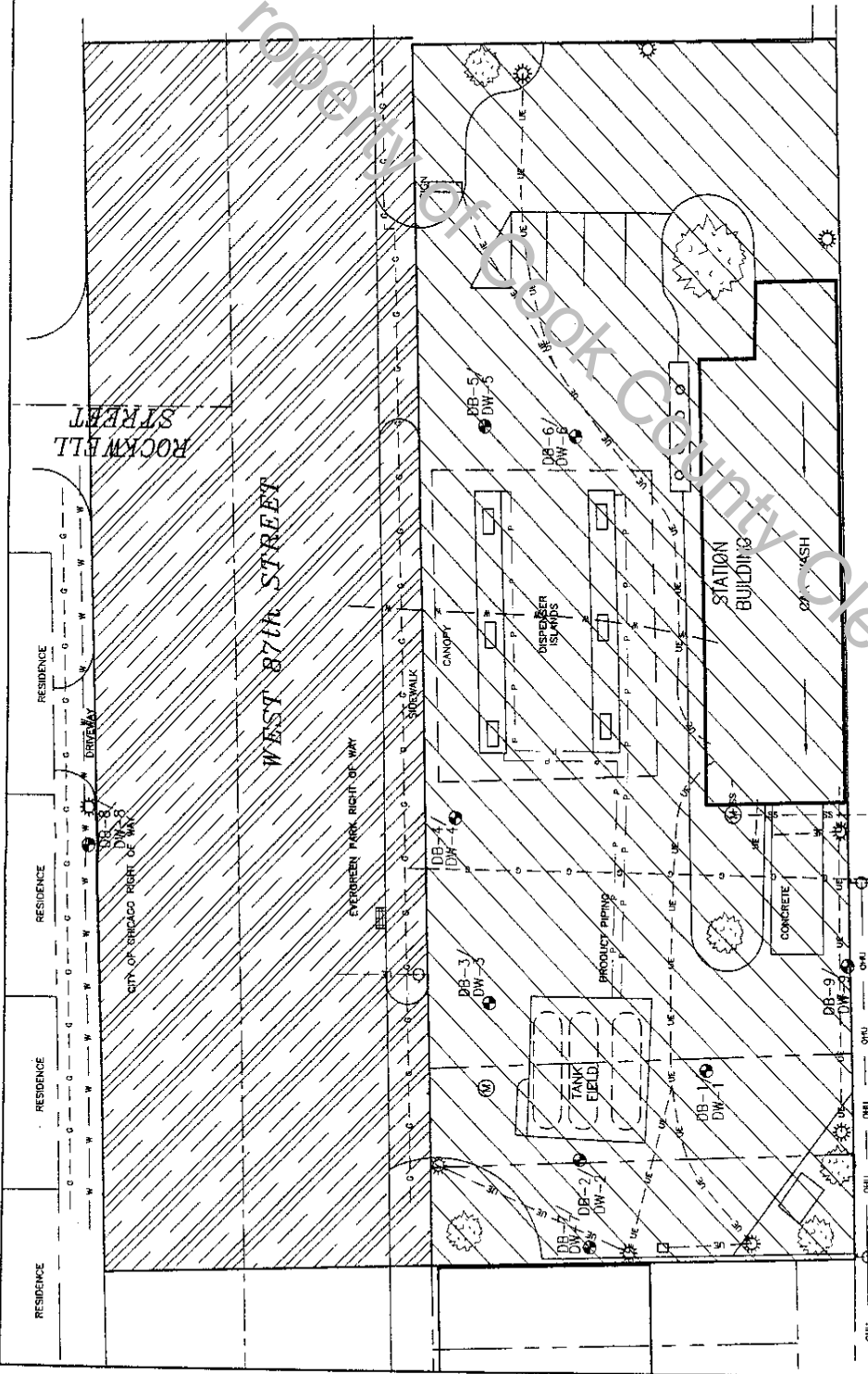
cc: Melissa M. Powell, GES Inc.
Division File

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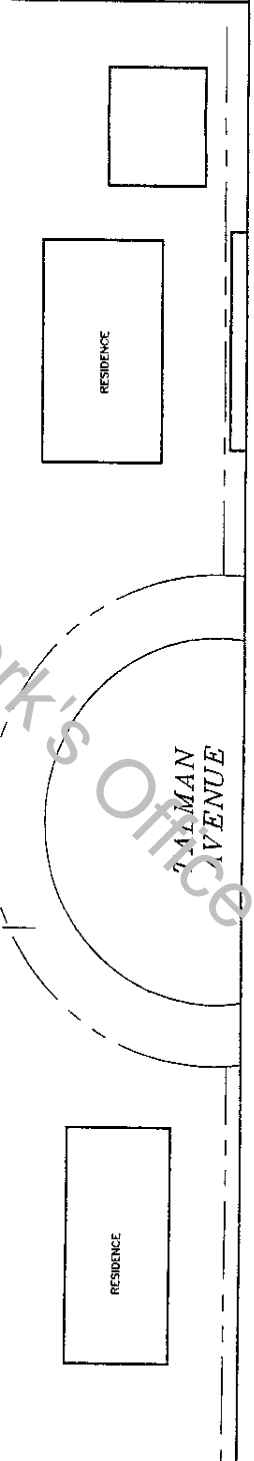


LEGEND

- PROPERTY BOUNDARY
- ▨ CATCH BASIN
- ☼ LIGHT POLE
- ⊙ UTILITY POLE
- ⊙ MONITORING WELL
- SS --- UNDERGROUND SANITARY SEWER LINE
- UE --- UNDERGROUND ELECTRIC LINE
- W --- UNDERGROUND WATER LINE
- G --- UNDERGROUND GAS LINE
- ODU --- OVERHEAD UTILITIES
- ▨ AREA SUBJECT TO GROUNDWATER USE RESTRICTION
- ▨ AREA SUBJECT TO CITY OF CHICAGO AND EVERGREEN PARK GROUNDWATER USE RESTRICTION NOTIFICATION



DESIGNED BY: A.L.L. (K.J.)	GROUNDWATER ORDINANCE NOTIFICATION MAP
CHECKED BY:	SHELL OIL PRODUCTS US SHELL SERVICE STATION SAP# 137033 2635 WEST 87th STREET EVERGREEN PARK, ILLINOIS
REVIEWED BY:	Groundwater & Environmental Services, Inc. 1050 CORPORATE BOULEVARD, SUITE C, AURORA, IL 60505
NORTH	SCALE IN FEET 0 APPROXIMATE 30
DATE	FIGURE
8-25-09	7



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ORDINANCE NO. 13-2004

AN ORDINANCE AMENDING CHAPTER 24, WATER, SEWERS AND SEWAGE DISPOSAL, BY ADDING SECTION 24-15, WELL WATER, TO THE EVERGREEN PARK MUNICIPAL CODE

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

That Section 24-15, Well Water, be added to Chapter 24, Water, Sewers and Sewage Disposal, of the Evergreen Park Municipal Code to read as follows:

Sec. 24-15. Well water.

(a) No person (including the Village and any other unit of government) shall install any potable water supply well or use any well for the purpose of obtaining a potable water supply in the Village.

(b) No person (including the Village and any other unit of government) shall drill a well in order to obtain a potable water supply for use in or outside of the Village.

(c) Well water may be used only for outdoor watering of lawn, garden and landscape areas.

(d) No person shall connect any pipe containing water supplied by the Village with water supplied from any well.

Section 2

The penalty clause of this ordinance shall be Section 1-9 of the Evergreen Park Municipal Code.

Section 3

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 4


All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

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Section 5

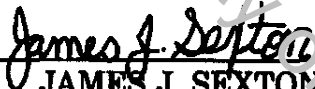
This ordinance shall be in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 3rd day of May, 2004.




CATHERINE T. APARO, Village Clerk

APPROVED by me this 3rd
day of May, 2004.



JAMES J. SEXTON, Mayor

I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Evergreen Park, in accordance with law, this 3rd day of May, 2004.



CATHERINE T. APARO, Village Clerk

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CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Evergreen Park, a municipal corporation, Cook County, Illinois, and, as such, I am the keeper of the records and files and am custodian of the seal of said Village.

I do further certify that the foregoing or attached is a complete, true, and correct copy of Ordinance No. 13-2004 entitled:

**AN ORDINANCE AMENDING CHAPTER 24,
WATER, SEWERS AND SEWAGE DISPOSAL, BY
ADDING SECTION 24-15, WELL WATER, TO THE
EVERGREEN PARK MUNICIPAL CODE**

and was duly passed by a majority vote of the members of the Board of Trustees at its regular meeting held on May 3, 2004, approved by the Mayor on said date, and now in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the corporate seal of said Village this 16th day of August, 2004.

Catherine T. Garro

Village Clerk

(CORPORATE)
(SEAL)



PROPERTY OF COOK COUNTY CLERK'S OFFICE

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Exhibit A

Legal Description

CC#137033

PARCEL 1:

LOTS 53 AND 54 IN FRANK DE LUGACH BEVERLY MANOR, BEING A SUBDIVISION OF PART OF LOT 1 OF SCAMMONS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THE 16 FOOT VACATED PUBLIC ALLEY LYING SOUTH AND ADJOINING SAID LOTS (VACATED BY THE VILLAGE OF EVERGREEN PARK BY ORDINANCE NO. 23-1968 AND RECORDED AS DOCUMENT 20576516 ON AUGUST 7, 1968) IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 1 IN SCAMMONS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 148 FEET WEST OF THE EAST LINE OF SAID LOT 1 AND 50 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1; THENCE WEST ALONG A LINE PARALLEL WITH THE SAID NORTH LINE, BEING THE SOUTH LINE OF WEST 87TH STREET AS CONVEYED TO THE COOK COUNTY HIGHWAY DEPARTMENT BY DEED RECORDED JULY 30, 1968 AS DOCUMENT 20567982, A DISTANCE OF 252 FEET 4 INCHES TO THE EAST LINE OF LOT 53 IN FRANK DE LUGACH BEVERLY MANOR SUBDIVISION; THENCE SOUTH ALONG SAID EAST LINE OF LOT 53 AND SAID LINE EXTENDED TO THE SOUTHEAST CORNER OF THE VACATED 16 FOOT PUBLIC ALLEY; THENCE EAST ALONG A LINE PARALLEL WITH AND 165 FEET SOUTH OF THE NORTH LINE OF LOT 1 A DISTANCE OF 263 FEET 4 INCHES TO A POINT 137.0 FEET WEST OF THE EAST LINE OF LOT 1; THENCE NORTH ALONG A LINE PARALLEL WITH SAID EAST LINE A DISTANCE OF 8.0 FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE AFORESAID NORTH LINE A DISTANCE OF 11.0 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH THE EAST LINE OF LOT 1 A DISTANCE OF 109.0 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Tax Parcel ID No(s). 24-01-202-009-0000; 24-01-202-010-0000; and 24-01-203-029-0000
Address: 2635 W. 87th Street, Evergreen Park, IL 60805-1102
137033/5740