



Doc#: 1113356034 Fee: \$76.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 05/13/2011 03:37 PM Pg: 1 of 21

PREPARED BY:

Name: SPGT Oil Corp.
Attn: Mr. Jessmon Thomas

Address: 9500 W. Grand Ave.
Franklin Park, IL. 60131

RETURN TO:

Name: SPGT Oil Corp.
Attn: Mr. Jessmon Thomas

Address: 9500 W. Grand Ave.
Franklin Park, IL. 60131

(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: 0310965249

Leaking UST Incident No.: 890975 & 20001999

SPGT Oil Corp., the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 9500 W. Grand Ave. Franklin Park, IL. 60131, 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 legal description
2. Common Address: 9500 W. Grand Ave., Franklin Park, IL. 60131
3. Real Estate Tax Index/Parcel Index Number: 12-27-121-038
4. Site Owner: SPGT Oil Corp.
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

WSZ

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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 04 2011

7009 2820 0001 7485 6175

SPGT Oil Corp
Attn: Mr. Jessmon Thomas
9500 W. Grand Ave.
Franklin Park, IL 60131

Re: LPC # 0310965249 -- County
Franklin Park/National Oil
9500 Grand Ave.
Leaking UST Incident No. 890975 & 20001999-- NFR Letter
Leaking UST Technical File

Dear Mr. Thomas:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report-Addendums submitted for the above-referenced incident. This information was dated February 24, 2011 and April 18, 2011 was received by the Illinois EPA on March 1, 2011 and April 21, 2011. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0554 on June 24, 2002, and Public Act 96-0908 on June 8, 2010, 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 John Karrow, 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:

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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Page 2

1. SPGT Oil Corp, 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: Prior to commencement of any future excavation and/or construction in or near the contaminated zone of the remediation site, a safety plan for this remediation site is required that is consistent with the National Institute for Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; Occupational Safety and Health Administration regulations, particularly in 29 CFR 1910 and 1926; state and local regulations; and other U.S. EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.
- Engineering: A concrete/asphalt barrier that is sufficient in thickness to inhibit the inhalation and ingestion of the contaminated media must remain over the contaminated soil as outlined in the attached Site Base Map. This concrete/asphalt barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

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Highway Authority Agreement

Village of Franklin Park agrees, through the use of a Highway Authority Agreement, to allow contaminated groundwater and/or soils to remain beneath its highway right-of-way adjacent to the site located at 9500 W. Grand Ave., Franklin Park, IL. Specifically, as shown on the attached map, contamination will remain in the right-of-way for Grand Ave. & Edgington Ave. as indicated in the Highway Authority Agreement. The Highway Authority agrees to limit access to soil contamination under the highway right-of-way that is contaminated above residential Tier 1 soil remediation objectives. A copy of the Highway Authority Agreement can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this letter. Questions regarding the Highway Authority Agreement should be directed to:

Village of Franklin Park
Attn: Village Engineer
9500 Belmont Ave.
Franklin Park, IL 60131

Environmental Land Use Control

The owner or operator acknowledges and agrees that issuance of this Letter is based upon an agreement by the property owner(s) of the real property located at the common address, 9514 West Grand Ave., Franklin Park, IL 60131 (Property), through the use of the recorded Environmental Land Use Control (ELUC), to allow contaminated groundwater or soil to remain beneath the Property, as depicted on the attached Site Base Map. Specifically, the owner(s) of the Property has agreed, for himself/herself and his/her heirs, grantees, successors, assigns, transferees and any other owner, occupant, lessee, possessor or user of the Property, or the holder of any portion thereof or interest therein, that certain limitations or requirements have been imposed upon the use of the Property in accordance with the terms and conditions of the recorded ELUC. Unless other remedies that may be available are satisfied, a failure to comply with the limitations or requirements of the recorded ELUC may result in voidance of this Letter. The failure to comply with the limitations or requirements of the recorded ELUC may also be grounds for an enforcement action pursuant to Title VIII of the Act.

Information regarding the recorded ELUC and/or remediation performed on the Property may be obtained from the Illinois EPA through a written request under the Freedom of Information Act (5 ILCS 140) to the Bureau of Land, FOIA Unit as detailed elsewhere in this Letter.

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Groundwater Use Ordinance

Ordinance 98103004 adopted by the Franklin 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:
 - 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 Franklin 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

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- 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.
 - 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) 45:

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

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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 Avoidance 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 avoidance, explain the provisions for appeal, and describe the facts in support of the avoidance. Specific acts or omissions that may result in the avoidance 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;
 - 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

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If you have any questions or need further assistance, please contact the Illinois EPA project manager, Wayne Zuehlke, at 217/557-6937.

Sincerely,



Harry A. Chappel, P.E.
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

HAC:WSZ\

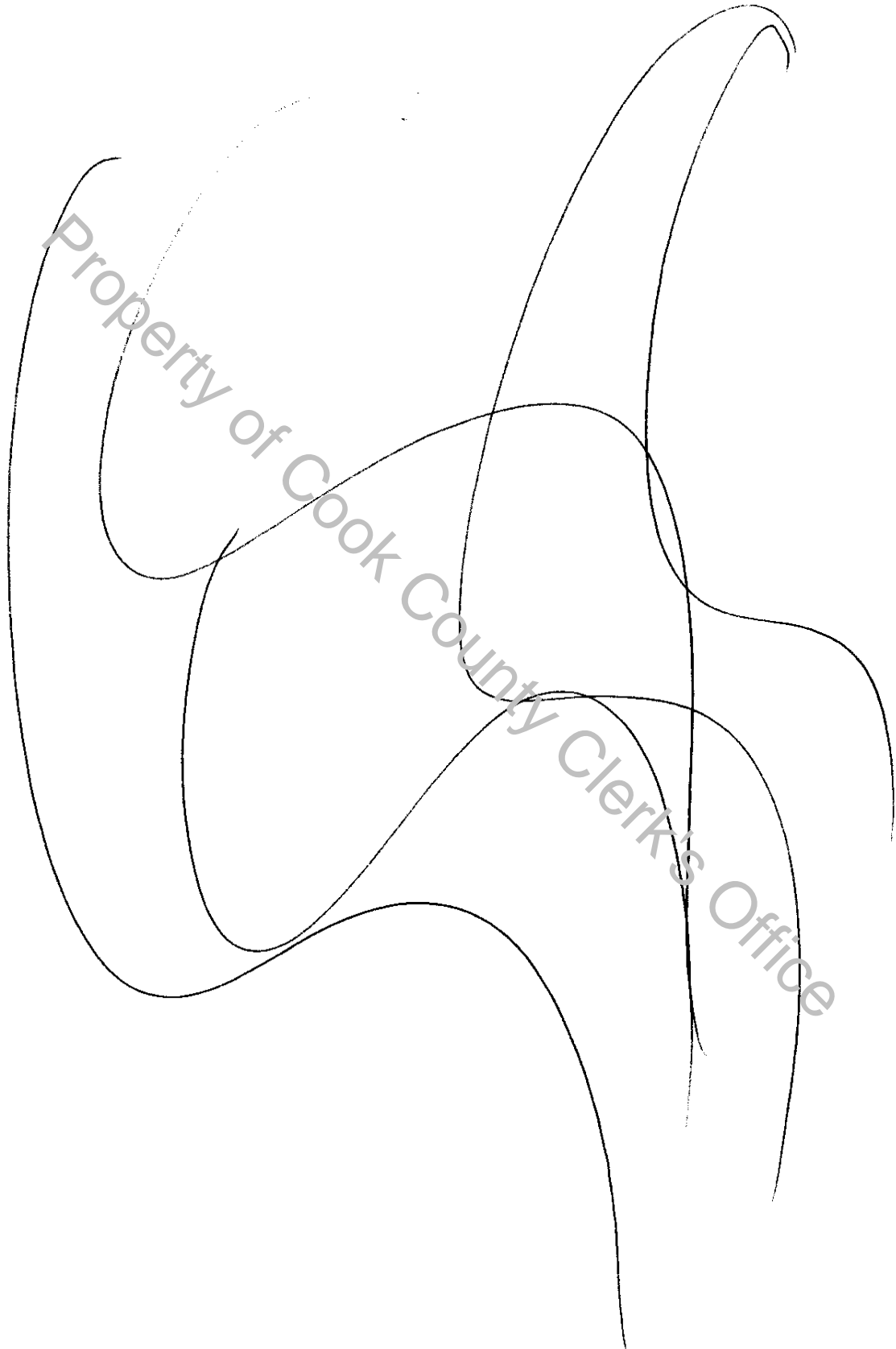
Attachments: Ordinance
Site Map (Soil and groundwater contamination plumes)
Site Map (Engineered barrier)
Site Map (HAA)
Site Map (ELUC)
ALTA/ACSM Land Title Survey (Legal Description)
Leaking Underground Storage Tank Environmental Notice

cc: Environment, Inc.
BOL File

Property of Cook County Clerk's Office

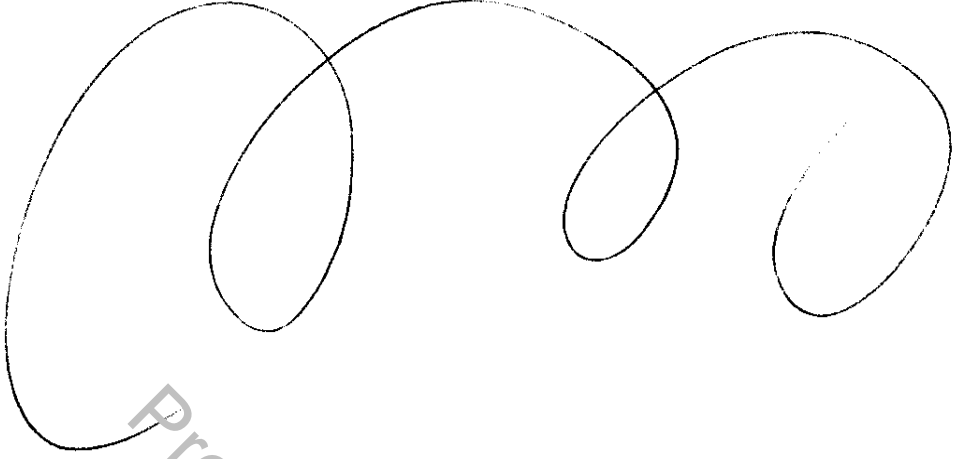
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Village of Franklin Park Groundwater Ordinance



Property of Cook County Clerks Office

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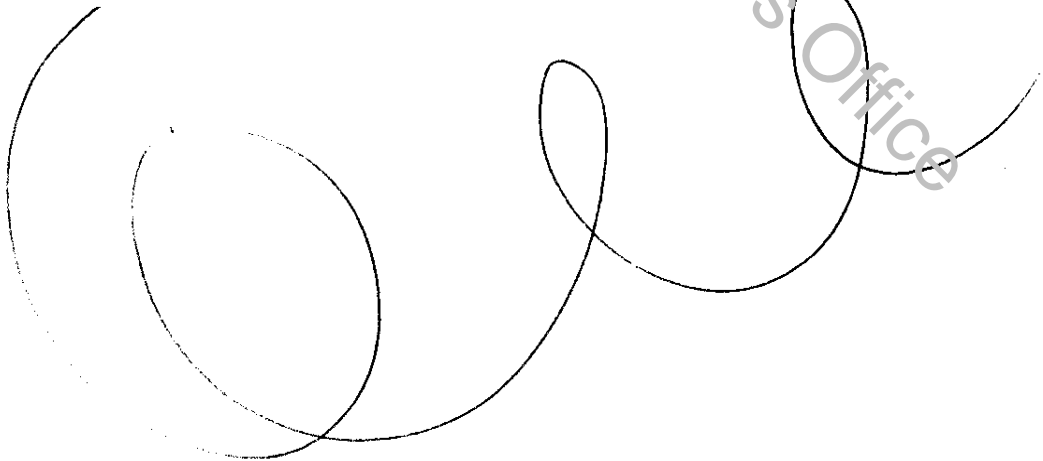
Municipality: Franklin Park

County: Cook

LPC Number:

OC: 98103004

Property of Cook County Clerk's Office



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VILLAGE OF FRANKLIN PARK)

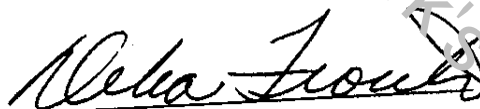
COUNTY OF COOK)

STATE OF ILLINOIS)

CERTIFICATE

I, **DEBRA FIORITO**, being the duly elected and qualified Village Clerk of the Village of Franklin Park, Cook County, Illinois, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance Number 9899 VC 15 entitled "AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION AND/OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD," passed and approved by the Board of Trustees of the Village of Franklin Park in regular session on the 5th of October, 1998 and on file in my custody.

WITNESS MY HAND and the Corporate seal of said Village of Franklin Park this 21st day of October, 1998.



Debra Fiorito
Village Clerk

SEAL

RECEIVED
OCT 22 1998
IEPA/BOL

RELEASABLE
DEC 10 2003
REVIEWER MM

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ORDINANCE NO. 9899 VC 15

**AN ORDINANCE PROHIBITING THE USE OF
GROUNDWATER AS A POTABLE WATER SUPPLY
BY THE INSTALLATION AND/OR USE OF POTABLE
WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

WHEREAS, certain properties located in the Village of Franklin Park, Cook County, Illinois, have been used from time to time for commercial and/or industrial purposes; and

WHEREAS, because of said use concentrations of certain chemical constituents in the groundwater beneath the Village of Franklin Park may exceed Class I groundwater quality standards for potable resource groundwater 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 Village of Franklin Park desires to limit potential threats to human health from groundwater contamination while at the same time facilitating the redevelopment and productive use of properties that are the source of said chemical constituents; and

WHEREAS, the corporate authorities of the Village of Franklin Park previously, on December 16, 1996, passed an amendment to the Village of Franklin Park Village Code incorporating Section 7-8A-8 to provide regulations and restrictions on the use of water from wells and known as Ordinance No. 9697 VC 18; and

WHEREAS, the corporate authorities of the Village of Franklin Park, on February 2, 1998, further amended Section 7-8A-8 of the Village Code of the Village of Franklin Park by the passage of Ordinance No. 9798 VC 29 to further define "potable water"; and

WHEREAS, it has become necessary to further amend Section 7-8A-8 of the Village Code in order to satisfy the requirement of the Illinois Environmental Protection Agency with respect to the use of groundwater as potable water supply; and

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WHEREAS, it has been determined and found by the corporate authorities of the Village of Franklin Park that it is in the best interest of the Village and the public that it serves to further amend Section 7-8A-8 of the Village Code of the Village of Franklin Park as suggested by the Illinois Environmental Protection Agency.

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

Section 1. That the foregoing recital clauses to this Ordinance are hereby adopted as the findings of the corporate authorities of the Village of Franklin Park and are incorporated herein by specific reference.

Section 2. That Article A, "Permit for Water Connection and Use", of Chapter 8, "Water Systems", of Title 7, "Public Works", of the Village Code of the Village of Franklin Park as amended is hereby further amended to read as follows:

A) Use of Groundwater as a Potable Water Supply Prohibited. The use or attempted use, by any person, as a potable water supply groundwater from within the Village of Franklin Park, Cook County, Illinois, by the installation or drilling of wells or by any other method is hereby prohibited, including at points of withdrawal by the Village of Franklin Park.

B) Definitions: As used herein "Person" shall be defined as an 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.

As used herein "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) That any person violating the provisions of this section shall be fined in an amount not to exceed Seven Hundred Fifty (\$750.00) Dollars.

Section 3. That any ordinance or portion of any ordinance in conflict with the provisions of this ordinance is hereby repealed solely to the extent of such conflict.

Section 4. Severability. If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of this ordinance as a whole or any portion hereof not adjudged invalid.

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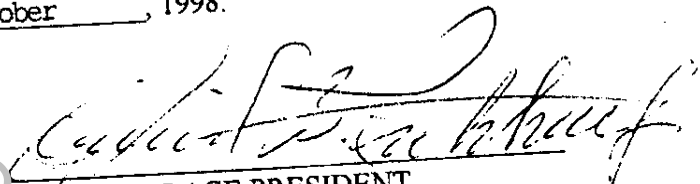
Section 5. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form in the manner as provided by law.

PASSED this 5th day of October, 1998.

AYES 4 NAYS 0 ABSENT 0

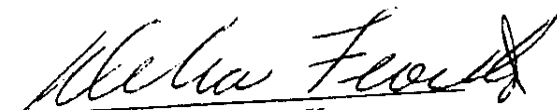
- Mr. Rossino
- Mr. Ferron
- Mr. Neuzil
- Mr. Bellendir

APPROVED by me this 5th day of October, 1998.



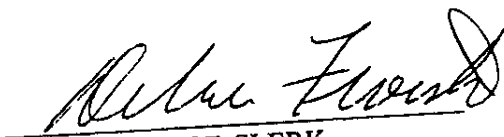
 VILLAGE PRESIDENT

ATTEST:



 VILLAGE CLERK

Published in Pamphlet form this 5th day of October, 1998, by Order of the Corporate Authorities of the Village of Franklin Park.

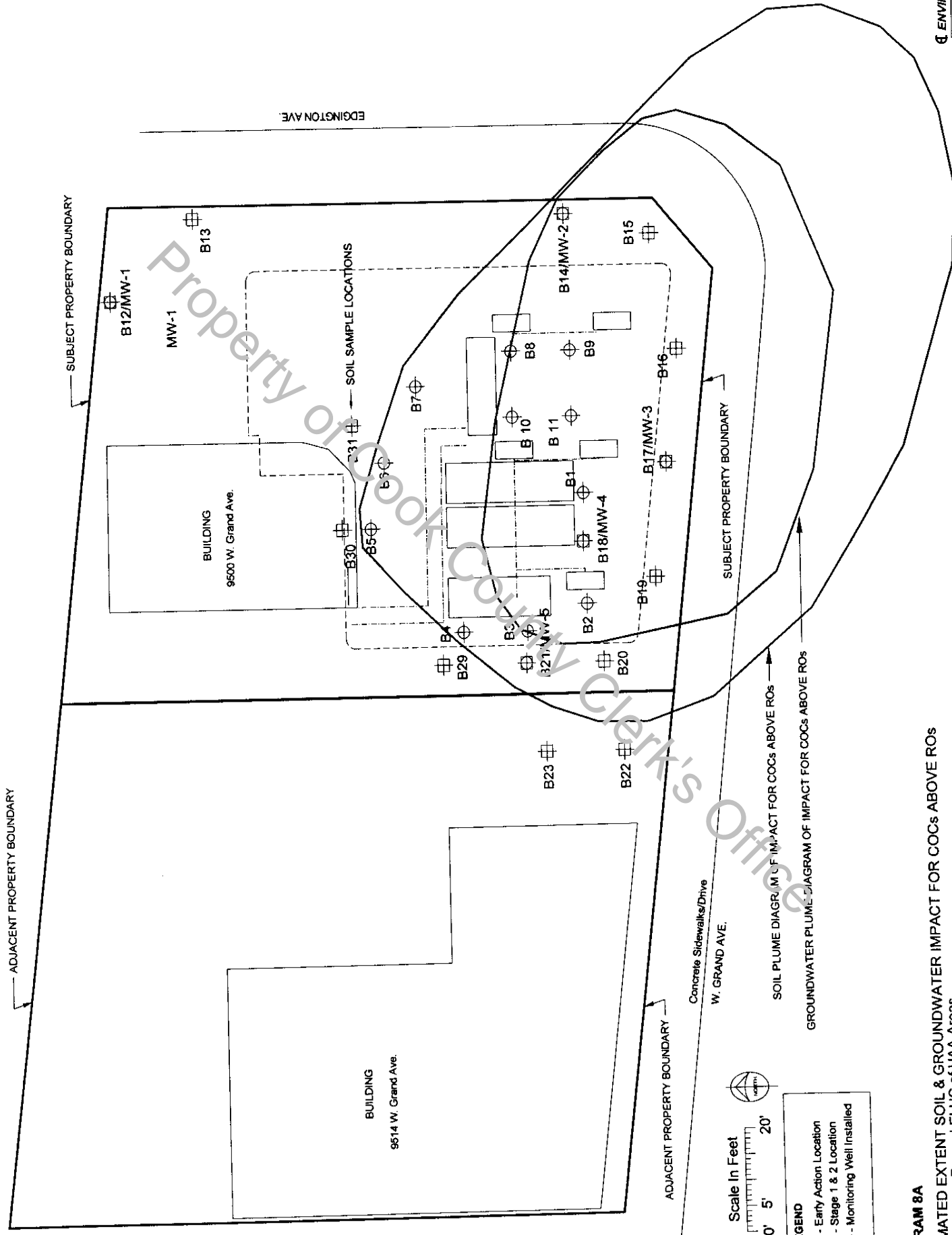


 VILLAGE CLERK

SOIL & Ground Water S.I.C. MAP

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ENVIRONMENT, INC.
1752 West Armitage Ct.
Addicks, IL 60101



Scale In Feet
0' 5' 20'

LEGEND

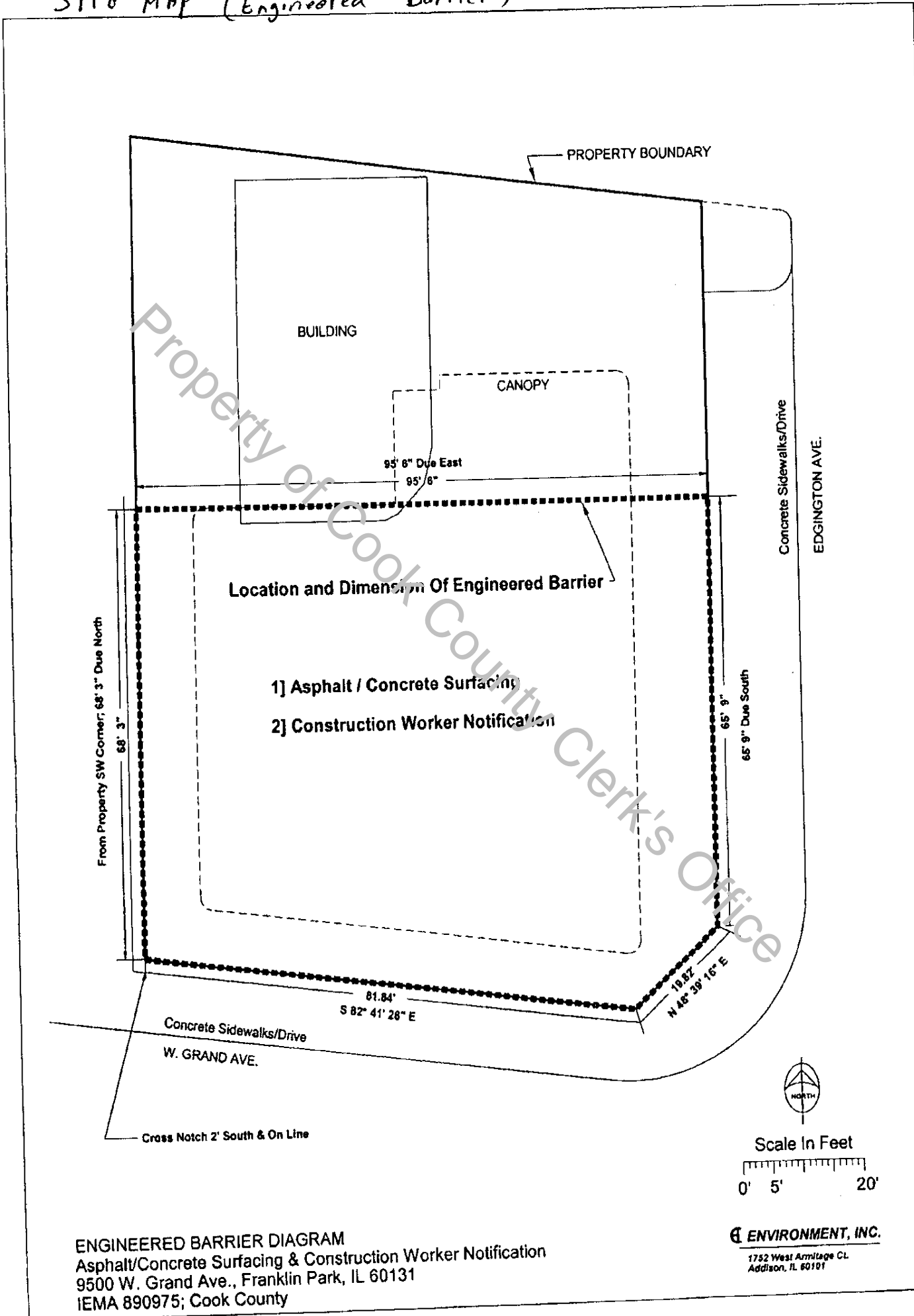
- ⊕ - Early Action Location
- ⊕ - Stage 1 & 2 Location
- ⊕ - Monitoring Well Installed

SOIL PLUME DIAGRAM OF IMPACT FOR COCs ABOVE ROS
GROUNDWATER PLUME DIAGRAM OF IMPACT FOR COCs ABOVE ROS

DIAGRAM 8A
ESTIMATED EXTENT SOIL & GROUNDWATER IMPACT FOR COCs ABOVE ROS
 No Exceedence Beyond ELUC of HAA Areas
 9514 W. Grand Ave., Franklin Park, IL 60131
 LPC 0310965249; IEMA 890975; Cook County

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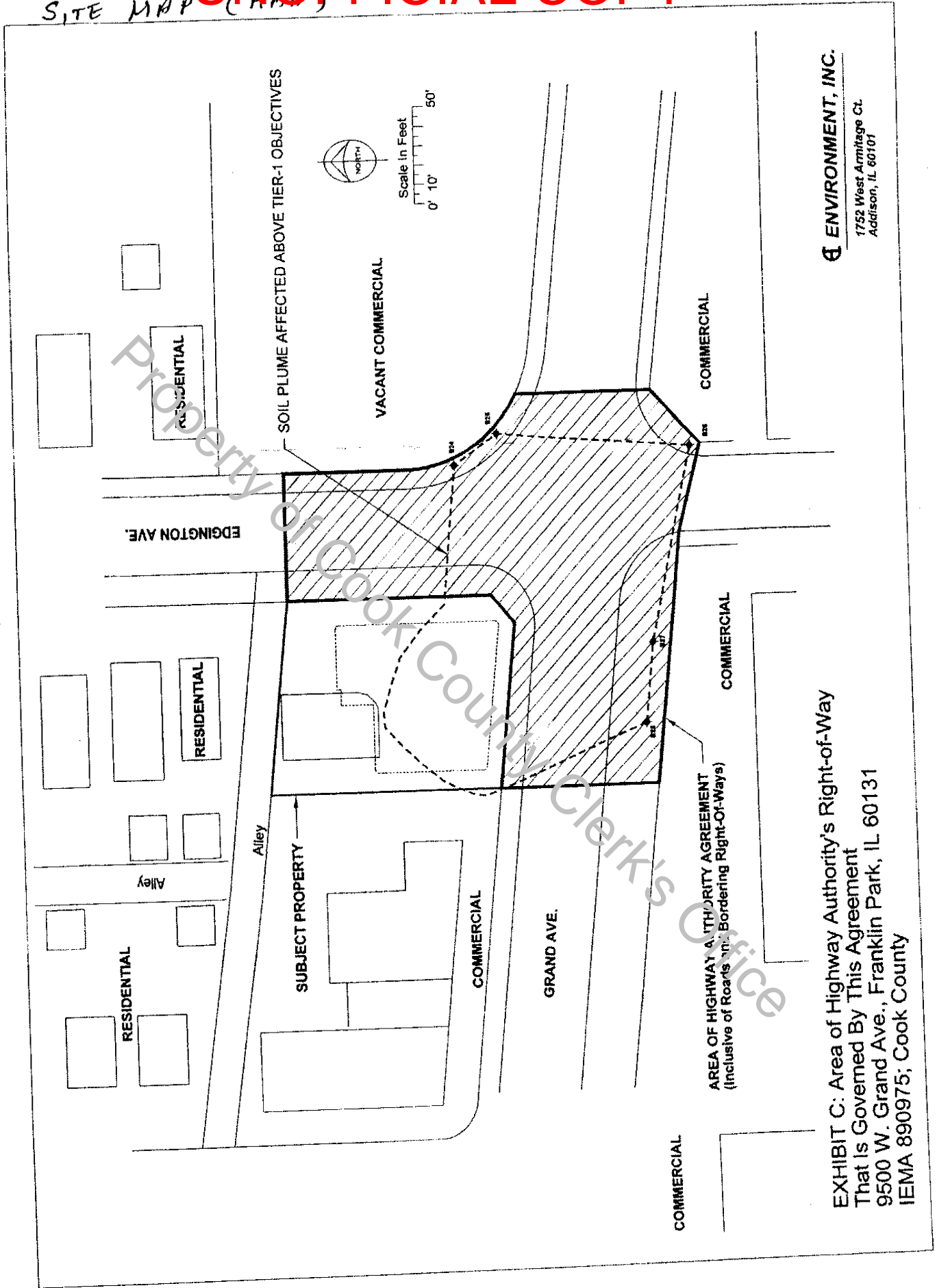
SITE MAP (Engineered Barrier)



ENGINEERED BARRIER DIAGRAM
 Asphalt/Concrete Surfacing & Construction Worker Notification
 9500 W. Grand Ave., Franklin Park, IL 60131
 IEMA 890975; Cook County

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SITE MAP (HAP)

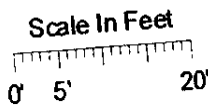
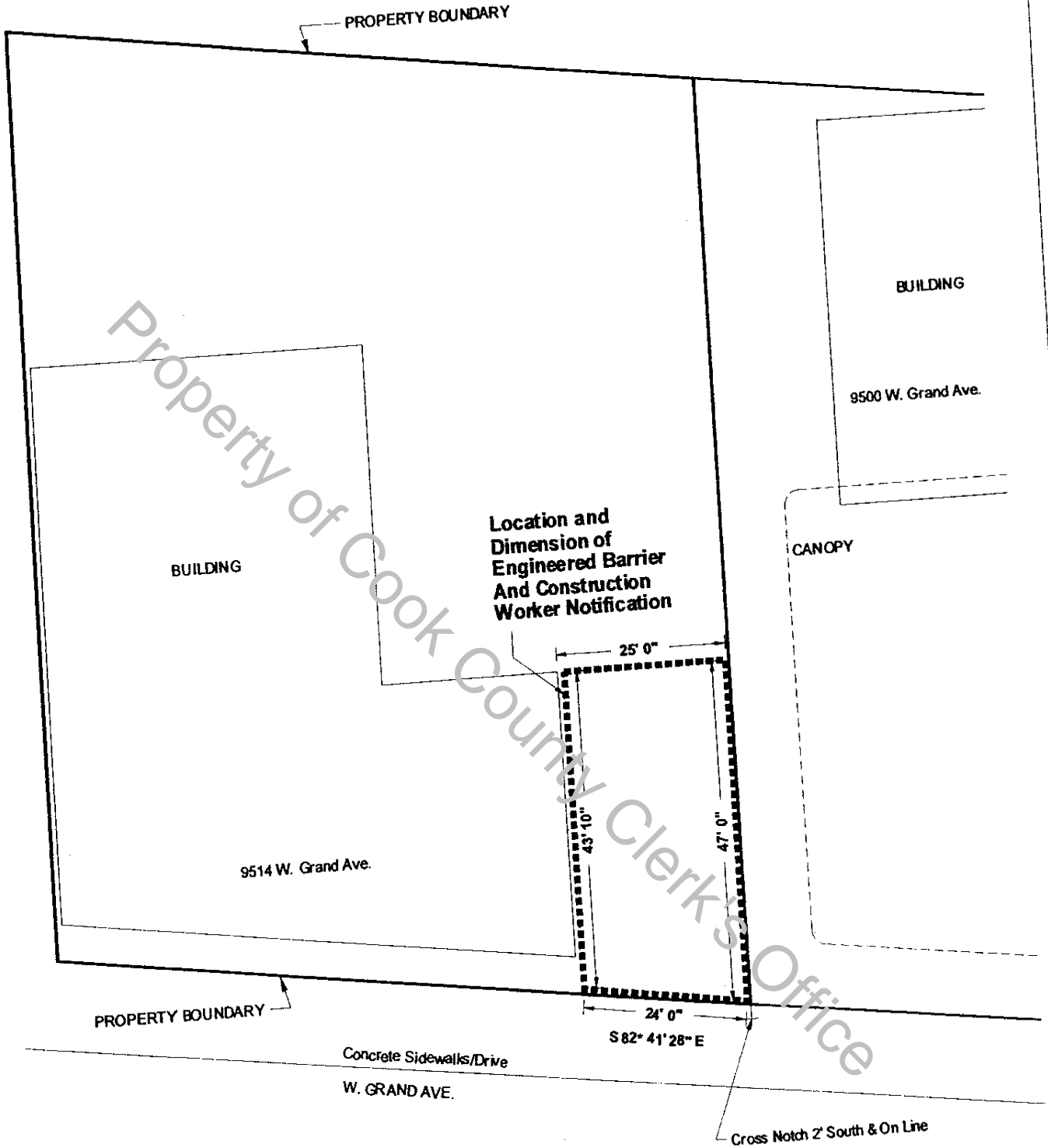


ENVIRONMENT, INC.
 1752 West Armitage Ct.
 Addison, IL 60101

EXHIBIT C: Area of Highway Authority's Right-of-Way That is Governed By This Agreement
 9500 W. Grand Ave., Franklin Park, IL 60131
 IEMA 890975; Cook County

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SITE MAP (E.C. 112)



(C) ENGINEERED BARRIER DIAGRAM
 Asphalt/Concrete Surfacing & Construction Worker Notification
 9514 W. Grand Ave., Franklin Park, IL 60131
 LPC 0310965249; IEMA 890975; Cook County

ENVIRONMENT, INC.
 1752 West Arm Edge Ct
 Addison, IL 60101

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ALTA/ACSM LAND TITLE SURVEY

Plat of Survey

LOTS 19, 20, 21 AND 22 (EXCEPT THAT PART OF LOT 19 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 19; THENCE ON AN ASSUMED BEARING OF NORTH 82 DEGREES 48 MINUTES 48 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT A DISTANCE OF 15.00 FEET TO AN ILLINOIS DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS SURVEY MARKER; THENCE NORTH 48 DEGREES 29 MINUTES 29 SECONDS EAST A DISTANCE OF 19.80 FEET TO AN ILLINOIS DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS SURVEY MARKER ON THE EASTERLY LINE OF SAID LOT 19; THENCE SOUTH 00 DEGREES 12 MINUTES 15 SECONDS EAST ALONG SAID EASTERLY LINE A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING), IN BLOCK 17 IN FRANKLIN PARK, A SUBDIVISION OF WEST 1/2 OF NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA: 12,005.4 SQ. FT. OR 0.2756 ACRES.

KNOWN AS: 9500 W. GRAND AVE., FRANKLIN PARK, ILLINOIS.
SURVEY FOR: NATIONAL OIL CO.

Cook County Clerk's Office

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

DOUGLAS P. SCOTT, DIRECTOR

RECORDING REQUIREMENTS FOR NO FURTHER REMEDIATION LETTERS

Introduction

The Illinois Environmental Protection Agency's (Illinois EPA) Bureau of Land/Leaking Underground Storage Tank Section issues a No Further Remediation (NFR) Letter after a demonstration of compliance with Title XVI of the Environmental Protection Act and applicable regulations is made. The NFR Letter 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 so long as the site is used in accordance with the terms and conditions of the NFR Letter.

Significance

When properly recorded, the NFR Letter holds legal significance for all applicable parties outlined at Section 57.10(d) of the Environmental Protection Act. (See 415 ILCS 5/57.10(d).) If not properly recorded, the Illinois EPA will take steps to void the NFR Letter in accordance with the regulations.

Duty to Record

The duty to record the NFR Letter is *mandatory*. You *must* submit the NFR Letter, with a copy of any applicable institutional controls proposed as part of a corrective action completion report, to the Office of the Recorder or the Registrar of Titles of the county in which the site is located *within 45 days after receipt of the NFR Letter*. You must record the NFR Letter and any attachments. The NFR Letter shall be filed in accordance with Illinois law so that it forms a permanent part of the chain of title to ensure current and future users of the property will be informed of the conditions and terms of approval including level of remediation; land use limitations; and preventive, engineering, and institutional controls. A certified or otherwise accurate and official copy of the NFR Letter and any attachments, as recorded, must be submitted to the Illinois EPA. Failure to record the NFR Letter in accordance with the regulations will make the NFR Letter voidable.

For More Information

Please refer to Tiered Approach to Corrective Action Objectives (TACO) Fact Sheet 3 available from the Illinois EPA by calling 1-888-299-9533 or by accessing it on the Illinois EPA Web site at <http://www.epa.state.il.us/land/taco/3-no-further-remediation-letters.html>.

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