

UNOFFICIAL COPY



PREPARED BY:

Name: Coast Cleaners

Address: 1031 Waukegan Road
Glenview, IL 60025

Doc#: 1131834047 Fee: \$48.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 11/14/2011 11:27 AM Pg: 1 of 7

RETURN TO:

Name: Coast Cleaners
Attn: Chung Lee

Address: 1031 Waukegan Road
Glenview, IL 60025

(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: 0311025226

Leaking UST Incident No.: 20081249

Coast Cleaners, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1031 Waukegan Road, Glenview, IL 60025, 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: 1031 Waukegan Road, Glenview, IL 60025
3. Real Estate Tax Index/Parcel Index Number: 04-35-207-130-0000
4. Site Owner: Foster Bank
5. Land Use Limitation: **The land use shall be industrial/commercial. The groundwater under the site shall not be used as a potable water supply.**
6. See the attached No Further Remediation Letter for other terms.

jmd

Attachment: Legal Description

COOK COUNTY RECORDER OF DEEDS
11/14/2011 11:27 AM

UNOFFICIAL COPY

Property Legal Description

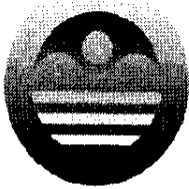
Parcel 1: The North 50 feet (except the West 50 feet thereof) of the South 135 feet of that part of Block 5 lying North of Block 6 and West of the East line of Block 6 produced Northerly in a straight line in Hutchings Addition to Oak Glen, being a subdivision of the Southwest 1/4 of the Northeast 114 of Section 35, Township 42 North, Range 12, East of the Third Principal Meridian, except the South 68 feet West of the road), in Cook County, Illinois.

Parcel 2: An easement for driveways and utilities created in document recorded March 3, 1954 as document number 14746116, described as follows: The North 5 feet of the premises South and adjacent to premises in question and the South 5 feet of the 50 feet of said 135 feet of that part of Block 5 lying North of Block 6 and West of the East line of Block 6 produced Northerly in a straight line in Hutchings Addition to Oak Glen, being a subdivision of the Southwest 1/4 of the Northeast 114 of Section 35, Township 42 North, Range 12, East of the Third Principal Meridian, (except the South 68 feet West of the road), in Cook County, Illinois. NOTE LEGAL DESCRIPTION CHANGED BY PLAT OF SUBDIVISION RECORDED AS DOCUMENT NUMBER 0424645126 TO: The North 50 feet of Lot 1 in Kozil's Subdivision, being a resubdivision of part of Blocks 5 & 6 in Hutchings Addition to Oak Glen and Lot I in Vassallo's Subdivision in the Southwest 114 of the Northeast 1/4 of Section 35, Township 42 North, Range 12, East of the Third Principal Meridian, Cook County, Illinois.

Commonly known as 1031 WAUKEGAN ROAD, Glenview, IL 60025

Property Index No. 04-35-207-130-0000

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) 782-2829
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, ILLINOIS 60601 - (312) 814-6026

PAT QUINN, GOVERNOR

LISA BONNETT, INTERIM DIRECTOR

217/782-6762

CERTIFIED MAIL

7009 3410 0002 3747 8454

NOV 02 2011

Coast Cleaners
 Attn: Chung Lee
 1031 Waukegan Road
 Glenview, IL 60025

Re: LPC # 0311025226 - Cook County
 Glenview/Coast Cleaners
 1031 Waukegan Road
 Leaking UST Incident No. 20081249 -- NFR Letter
 Leaking UST Technical File

Dear Mr. Lee:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45-Day/Corrective Action Completion Report and miscellaneous correspondence submitted for the above-referenced incident. This information was dated September 5 and October 28, 2011 and was received by the Illinois EPA on September 13 and October 28, 2011, respectively. 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 Early Action Tier 1 Remediation Objectives Compliance Report and the Licensed Professional Engineer Certification submitted pursuant to Section 57.6 of the Act and 35 Ill. Adm. Code 734.135(d) indicate the remediation objectives have been met.

Based upon the certification by Minghua Wan, 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. Coast Cleaners, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.

ROCKFORD - 4302 N. MAIN ST., ROCKFORD, IL 61103 - (815) 987-7760

ELGIN - 595 SOUTH STATE, ELGIN, IL 60123 - (847) 608-3131

CHAMPAIGN - 2125 S. FIRST ST., CHAMPAIGN, IL 61820 - (217) 278-5800

DES PLAINES - 9511 HARRISON ST., DES PLAINES, IL 60018 - (847) 294-4000

PEORIA - 5407 N. UNIVERSITY, ARBOR HALL #113, PEORIA, IL 61614 - (309) 693-5463

MARION - 2309 W. MAIN ST., SUITE 116, MARION, IL 62959 - (618) 993-7200

COLLINSVILLE - 2009 MALL STREET, COLLINSVILLE, IL 62234 - (618) 346-5120

PRINTED ON RECYCLED PAPER

UNOFFICIAL COPY

Page 2

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. 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.

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. The groundwater under the site shall not be used as a potable water supply.

UNOFFICIAL COPY

Page 3

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.

The groundwater under the site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used as a potable supply of water. No person shall construct, install, maintain, or utilize a potable water supply well. In accordance with Section 3.65 of the Act, "potable" means generally fit for human consumption in accordance with accepted water supply principles and practices.

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.

UNOFFICIAL COPY

Page 4

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;
 - 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

UNOFFICIAL COPY

Page 5

If you have any questions or need further assistance, please contact the Illinois EPA project manager, Jason Donnelly, at (217) 557-8764.

Sincerely,



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

hac:jmd:jk\081249-NFR.dotx

Attachments: Leaking Underground Storage Tank Environmental Notice
Legal Description

c: Hydrodynamics Consultants, Inc. Mike Wan
BOL File

PROPERTY OF COOK COUNTY CLERK'S OFFICE