

UNOFFICIAL COPY

PREPARED BY:

Name: Mr. John Shipka
Parcel C Phase 2 LLC



1215218064

Doc#: 1215218064 Fee: \$108.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/31/2012 12:34 PM Pg: 1 of 36

Address: 710 West Oakdale Avenue
Chicago, Illinois 60657

RETURN TO:

Name: Mr. John Shipka
Parcel C Phase 2 LLC

Address: 710 West Oakdale Avenue
Chicago, Illinois 60657

THE ABOVE SPACE FOR RECORDER'S OFFICE

This Environmental No Further Remediation Letter must be submitted by the remediation applicant within 45 days of its receipt, to the Office of the Recorder of Cook County.

Illinois State EPA Number: 0316335173

Parcel C Phase 2 LLC, the Remediation Applicant, whose address is 710 West Oakdale Avenue, Chicago, Illinois 60657, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries:

That part of the following described tract, said tract being comprised of the hereinafter described Parcels C, C-1, Three and Four all taken together, all in fractional Section 22, Township 39 North, Range 14 East of the Third Principal Meridian, said parcels more particularly described as follows:

Parcel C

That part of the Lands of the Illinois Central Railroad Company in fractional Section 22, Township 39 North, Range 14 East of the Third Principal Meridian, bounded and described as follows: commencing on the Westerly right of way line of said railroad, at the intersection of said line with the Northerly line of 23rd Street viaduct, said Northerly line being 60 feet (measured perpendicularly) Northerly of and parallel with the centerline of the existing structure; thence North 16 degrees 37 minutes 38 seconds West along said Westerly right of way line, a distance of 1500.00 feet to the point of beginning for that part hereinafter described; thence North 73 degrees 22 minutes 22 seconds East, parallel with said Northerly line of the 23rd Street viaduct, a distance of 151.02 feet; thence Northwesterly along the arc of a circle, convex to the Easterly, with a radius of 5738.60 feet, the chord of said arc having a bearing of North 17 degrees 59 minutes 18 seconds West, a distance of 240.13 feet; thence North 19 degrees 11 minutes 14 seconds West along a straight line, tangent to last described arc of a circle, a distance of 595.75 feet to a point of curve; thence Northwesterly along the arc of a circle, convex to the Easterly, tangent to the last described straight line, with a radius of 1928.20 feet, the chord of said arc having a bearing of North 20 degrees 44 minutes 30 seconds west, a distance of 104.63 feet to the Eastward extension of the North line of East 18th Street; thence South 89 degrees 59 minutes 21 seconds West along said Eastward extension, a distance of 117.47 feet to the said

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Westerly right of way line of railroad; thence South 16 degrees 42 minutes 49 seconds East along said Westerly right of way line, a distance of 908.58 feet to the North line of East 20th Street; thence South 16 degrees 37 minutes 38 seconds East continuing along said Westerly right of way line, a distance of 64.46 feet to the point of beginning, in Cook County, Illinois;

Also,

Parcel C-1

The South 55 feet of that part of Lot 1 lying East of Calumet Avenue, in Block 5 in William Jones Addition to Chicago; the North 9 feet of the South 64 feet of Lot 1 lying East of Calumet Avenue in Block 5 in William Jones Addition to Chicago; the North 55 feet of Lot 1 lying East of Calumet Avenue in Block 5 in William Jones Addition to Chicago; all those parts of Lots 51, 52, and 53 in Block 10 in Assessor's Division of the Southwest fractional quarter of Section 22, Township 39 North, Range 14 East of the Third Principal Meridian lying West of the West line of the right of way of the Illinois Central Railroad and East of Calumet Avenue as now laid out and marked on the plat of Meeker's Addition to Chicago, Illinois, as Lot "AA", in Cook County, Illinois and described as follows, to wit: an undivided half of all that portion of the above described premises, lying East of the North 68 feet of Lot 6 in Clarke's Subdivision of Lots 51 and 52 and other property in said Block 10 included between 2 lines running East and West and formed by prolonging Eastwardly the North and South lines of original Lots 51 and 52 in; also, all that portion of the remainder of the premises in question falling within Lot 6 and to the South 62 feet of said Lot 52; and undivided half of those Parts of Lots 51, 52, and 53 in Block 10 in Assessor's Division of the Southwest fractional quarter of Section 22, Township 39 North, Range 14 East of the Third Principal Meridian, lying West of the West line of the right of way of the Illinois Central Railroad and East of the East line of Calumet Avenue, as now laid out and marked on the plat of Meeker's Addition to Chicago, as Lot "AA", described as all that portion lying East of the North 68 feet of Lot 6, in Clarke's Subdivision of Lots 51 and 56 and the North 55 feet of Lots 52 and 55 of said Block 10 included between 2 lines running East and West and formed by prolonging Eastwardly the North and South line of said original Lots 51 and 55; in Cook County, Illinois;

Also,

Parcel Three

Lots 14 in Culver and Others Subdivision of Lots 2 and 3 in Block 5 in Jones Addition to Chicago with Lots 2 in Block 11 and 3 and 4 in Block 12 in Assessor's Division in the Southwest fractional $\frac{1}{4}$ of Section 22, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois;

That part of the aforesaid tract being more particularly described as follows: commencing at the point of intersection of the Eastward extension of the North line of East 18th Street with the Westerly right of way line of the Illinois Central Railroad Company, aforesaid; thence South 16°42'49" East along said Westerly right of way line, 215.27 feet to the North line of Meeker's Addition to Chicago, aforesaid; thence South 89°58'39" West, along said North line, 2.09 feet to the Easterly line of South Calumet Avenue; thence South 16°42'49" East, along the Easterly line of South Calumet Avenue, 226.29 feet; thence Southerly along the Easterly line of South Calumet Avenue, 57.16 feet being the arc of a circle, convex to the East, having a radius of 195.00 feet and whose chord bears South 08°18'59" East a distance of 56.95 feet; thence South 00°04'52" West, along the Easterly line of South Calumet Avenue, 37.56 feet to the point of beginning; thence South 89°55'08" East, 17.06 feet; thence North 73°16'26" East, 142.00 feet to the Easterly line of said tract; thence South 19°11'14" East, along the Easterly line of said tract, 152.15 feet; thence North 90°00'00" West, 50.32 feet; thence South 00°00'00" West, 176.86 feet; thence North 90°00'00" West, 46.64 feet; thence North 16°42'49" West, 182.99 feet to the South line of said Lot 14; thence North 89°59'54" West along said South line 53.61 feet to the Easterly line of South Calumet Avenue; thence North 00°04'52" East, along the Easterly line of South Calumet Avenue, 104.44 feet to the point of beginning, in Cook County, Illinois.

Containing 35,146 square feet, more or less.

2. Common Address: 1901 South Calumet Ave., Chicago, Illinois

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3. Real Estate Tax Index/Parcel Index Numbers: 17-22-310-023-0000 and 17-22-310-025-1001 through and including 17-22-310-025-1596.
4. Remediation Site Owners: Parcel C Phase 2 LLC and the individual unit owners identified in the attachment to the Property Owner Certification Form.
5. Land Use: Residential and/or Industrial/Commercial
6. Site Investigation: Comprehensive

See NFR letter for other terms.

Property of 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

PAT QUINN, GOVERNOR**LISA BONNETT, INTERIM DIRECTOR**

217/524-3300

May 4, 2012

CERTIFIED MAIL

7010 2780 0002 1166 3277

Mr. John Shipka
Parcel C Phase 2 LLC
710 West Oakdale Avenue
Chicago, Illinois 60657

Refer to: 0316335173-Cook County
Central Station Development Corporation/Chicago
SRP/Technical Reports
No Further Remediation Letter

Dear Mr. Shipka:

The Remedial Action Completion Report, 1901 Parcel, 1901 South Calumet Ave., Chicago, Illinois, LPC# 0316335173 (RACR), Log No. 10-45198, as prepared by GaiaTech, Inc. for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The RACR demonstrates that the remedial action was completed in accordance with 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 0.81 acres, is located at 1901 South Calumet Ave., Chicago, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form, dated October 3, 2007, is Parcel C Phase 2 LLC.

This comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Moll St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 2) The land use 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 Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 3) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 4) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below three (3) feet must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 5) The concrete barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. The barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.
- 6) The 18 inches of clean soil/geotextile barrier, as shown in the attached Site Base Map, must remain over the contaminated soils. The barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Institutional Controls:

- 7) Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), effectively prohibits the installation and the use of potable water supply wells and is an acceptable institutional control under the following conditions:

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- a) The Remediation Applicant shall provide written notification to the City of Chicago and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
- i) The name and address of the local unit of government;
 - ii) The citation of Section 11-8-390;
 - iii) A description of the property for which the owner is 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 has been 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.
- b) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date this Letter is recorded to.
- Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
- c) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
- i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date this Letter is recorded of written notification to the City of Chicago and affected property owner(s) of the intent to use Section 11-8-390 of the Municipal Code of Chicago (Potable Water Wells), as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter.

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Other Terms

- 8) Areas outside the Remediation Site boundaries or specific engineered barrier locations, as shown in the Site Base Map, are not subject to any other institutional or engineered barrier controls.
- 9) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 7 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 10) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 11) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Division of Records Management #16
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
- 12) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:
 - a) Any violation of institutional controls or the designated 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 Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
 - d) The failure to comply with the recording requirements for this Letter;
 - e) Obtaining the Letter by fraud or misrepresentation;

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- 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;
 - g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
 - h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.
- 13) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:
- a) Parcel C Phase 2 LLC;
 - b) The owner and operator of the Remediation Site;
 - c) Any parent corporation or subsidiary of the owner of the Remediation Site;
 - d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
 - e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
 - f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto;
 - g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferee of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferee of such party.

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14) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of Cook County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of Cook County in accordance with Illinois law so that it forms a permanent part of the chain of title for the Central Station Development Corporation property.

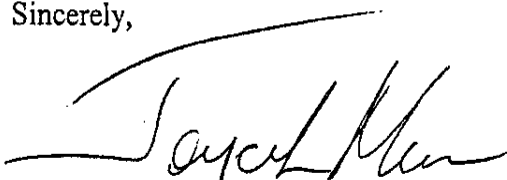
15) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of Cook County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
 Illinois Environmental Protection Agency
 Bureau of Land/RPMS
 1021 North Grand Avenue East
 Post Office Box 19276
 Springfield, IL 62794-9276

16) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation Services Agreement. Request for payment of the No Further Remediation Assessment Fee will be included with the billing statement.

If you have any questions regarding the Central Station Development Corporation property, you may contact the Illinois EPA project manager, Todd Gross, at 217/524-3300.

Sincerely,



Joyce L. Munie, P.E., Manager
 Remedial Project Management Section
 Division of Remediation Management
 Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice
 Site Base Map
 Property Owner Certification of No Further Remediation Letter under the Site
 Remediation Program Form and Attachment
 Instructions for Filing the NFR Letter

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cc: Mr. John Yang
GaiaTech, Inc.
135 South LaSalle Street, Suite 3500
Chicago, Illinois 60603

Commissioner
City of Chicago
Division of Fleet and Facility Management
30 North LaSalle Street, Suite 300
Chicago, Illinois 60602-2575

Property of Cook County Clerk's Office

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GaiaTech

200 North LaSalle • Suite 2800 • Chicago, IL • 60601
312.541.4200 FAX 312.541.0340

SITE MAP WITH ENGINEERED BARRIERS
0316335173-COOK COUNTY
CENTRAL STATION DEVELOPMENT CORP./CHICAGO
SRP/TECHNICAL REPORTS

DRAWN	CHECK	DATE	SCALE	CADD	NS:
CS	MD	1/18/12	1" = 90'	NS: 4	



NORTH

RESIDENTIAL

ILLINOIS CENTRAL RAILROAD

BUS PATH

REMEDIATION SITE BOUNDARY

1901 PARCEL

ARMORY

S. CALUMET AVENUE




PARCEL 1
(LOTS 15-17)

PARCEL 3

PARCEL 2
(LOT 18)

CULLERTON STREET

LEGEND

-  CONCRETE ENGINEERED BARRIER
-  18 INCHES CLEAN SOIL OVER A GEOTEXTILE ENGINEERED BARRIER
-  CONSTRUCTION WORKER CAUTION AREA (INGESTION EXPOSURE)

NOTE:
EXTENT OF ENGINEERED BARRIERS WAS MEASURED IN THE FIELD WHILE REMEDIATION SITE BOUNDARY WAS SURVEYED.

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PROPERTY OWNER CERTIFICATION OF THE NFR LETTER UNDER THE SITE REMEDIATION PROGRAM

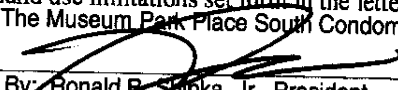
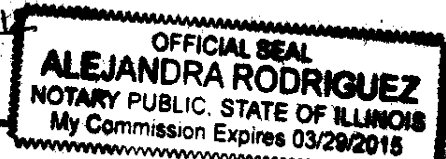
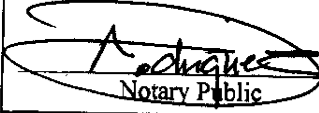
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized agent of the owner(s) must certify, by original signature, the statement appearing below. This certification shall be recorded in accordance with Illinois Administrative Code 740.620.

Include the full legal name, title, the company, the street address, the city, the state, the ZIP code, and the telephone number of all other property owners. Include the site name, street address, city, ZIP code, county, Illinois inventory identification number and real estate tax index/parcel index number.

A duly authorized agent means a person who is authorized by written consent or by law to act on behalf of a property owner, including, but not limited to:

1. For corporations, a principal executive officer of at least the level of vice-president;
2. For a sole proprietorship or partnership, the proprietor or a general partner, respectively; and
3. For a municipality, state or other public agency, the head of the agency or ranking elected official.

For multiple property owners, attach additional sheets containing the information described above, along with a signed, dated certification for each. All property owner certifications must be recorded along with the attached NFR letter.

Property Owner Information	
Owner's Name: <u>The Museum Park Place South Condominium Association</u>	on behalf of the individual condominium
Title: <u>unit owners identified on the attached list</u>	
Company: _____	
Street Address: <u>1901 South Calumet Ave.</u>	
City: <u>Chicago</u>	State: <u>IL</u> Zip Code: <u>60616</u> Phone: <u>(312) 225-5700</u>
Site Information	
Site Name: <u>Central Station Development Corporation</u>	
Site Address: <u>1901 South Calumet Ave.</u>	
City: <u>Chicago</u>	State: <u>IL</u> Zip Code: <u>60616</u> County: <u>Cook</u>
Illinois inventory identification number: <u>0316335173</u>	
Real Estate Tax Index/Parcel Index No. <u>17-22-310-023-0000 and 17-22-310-025-1001 through and including 17-22-310-025-1596</u>	
I hereby certify that I have reviewed the attached No Further Remediation Letter and that I accept the terms and conditions and any land use limitations set forth in the letter.	
The Museum Park Place South Condominium Association, an Illinois not-for-profit corporation	
Owner's Signature: 	Date: <u>May 30, 2012</u>
By: <u>Ronald B. Shipka, Jr., President</u>	
SUBSCRIBED AND SWORN TO BEFORE ME	
this <u>30th</u> day of <u>May</u> , 20 <u>12</u>	
	
 Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 5/58 - 58.12 of the Environmental Protection Act and regulations promulgated thereunder. If the Remediation Applicant is not also the sole owner of the remediation site, this form must be completed by all owners of the remediation site and recorded with the NFR Letter. Failure to do so may void the NFR Letter. This form has been approved by the Forms Management Center. All information submitted to the Site Remediation Program is available to the public except when specifically designated by the Remediation Applicant to be treated confidentially as a trade secret or secret process in accordance with the Illinois Compiled Statutes, Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.

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Unit #	Name
1901 S CALUMET AVE #1001	Museum Park PI South LLC
1901 S CALUMET AVE #1002	Museum Park PI South LLC
1901 S CALUMET AVE #1003	Joseph Reyes Natalie Connell
1901 S CALUMET AVE #1004	Museum Park PI South LLC
1901 S CALUMET AVE #1005	Museum Park PI South LLC
1901 S CALUMET AVE #1006	Museum Park PI South LLC
1901 S CALUMET AVE #1007	Cai Xi Li Xing Gui Huang
1901 S CALUMET AVE #1008	Museum Park PI South LLC
1901 S CALUMET AVE #1009	Museum Park PI South LLC
1901 S CALUMET AVE #1010	Ming Li Aili Liu
1901 S CALUMET AVE #1011	Zhinuan Yu
1901 S CALUMET AVE #1012	Tammy Adams
1901 S CALUMET AVE #1101	Museum Park PI South LLC
1901 S CALUMET AVE #1102	Museum Park PI South LLC
1901 S CALUMET AVE #1103	Colleen Cannon
1901 S CALUMET AVE #1104	Museum Park PI South LLC
1901 S CALUMET AVE #1105	Museum Park PI South LLC
1901 S CALUMET AVE #1106	Museum Park PI South LLC
1901 S CALUMET AVE #1107	Museum Park PI South LLC
1901 S CALUMET AVE #1108	Museum Park PI South LLC
1901 S CALUMET AVE #1109	Andy Huang Aiyuan Luo
1901 S CALUMET AVE #1110	Jun Zhang
1901 S CALUMET AVE #1111	Juan Prado Guadalupe Prado

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1901 S CALUMET AVE #1112	Jessica Lee Judy Lee
1901 S CALUMET AVE #1201	Museum Park PI South LLC
1901 S CALUMET AVE #1202	Museum Park PI South LLC
1901 S CALUMET AVE #1203	Museum Park PI South LLC
1901 S CALUMET AVE #1204	Geoffrey Credi
1901 S CALUMET AVE #1205	Museum Park PI South LLC
1901 S CALUMET AVE #1206	Museum Park PI South LLC
1901 S CALUMET AVE #1207	Museum Park PI South LLC
1901 S CALUMET AVE #1208	Karen Keyes
1901 S CALUMET AVE #1209	Museum Park PI South LLC
1901 S CALUMET AVE #1210	Lazaro Rabang Pichelyn Rabang
1901 S CALUMET AVE #1211	Michael Vasquez
1901 S CALUMET AVE #1212	Bryan Michalik
1901 S CALUMET AVE #1301	Museum Park PI South LLC
1901 S CALUMET AVE #1302	Museum Park PI South LLC
1901 S CALUMET AVE #1303	Aldrin Prestoza Merriam Prestoza
1901 S CALUMET AVE #1304	Museum Park PI South LLC
1901 S CALUMET AVE #1305	Museum Park PI South LLC
1901 S CALUMET AVE #1306	Museum Park PI South LLC
1901 S CALUMET AVE #1307	Museum Park PI South LLC
1901 S CALUMET AVE #1308	Museum Park PI South LLC
1901 S CALUMET AVE #1309	Museum Park PI South LLC
1901 S CALUMET AVE #1310	Oh Jeong Lee Jae Jung Lee

UNOFFICIAL COPY**List of Unit Owners**

1901 S CALUMET AVE #1311	Margaret Watson
1901 S CALUMET AVE #1312	Gopinath Aravindakshan Aleksandra Jedrzejewska
1901 S CALUMET AVE #1401	Museum Park PI South LLC
1901 S CALUMET AVE #1402	Museum Park PI South LLC
1901 S CALUMET AVE #1403	Ramez Moussa Sonia Moussa
1901 S CALUMET AVE #1404	Museum Park PI South LLC
1901 S CALUMET AVE #1405	Museum Park PI South LLC
1901 S CALUMET AVE #1406	Museum Park PI South LLC
1901 S CALUMET AVE #1407	Mary Ann Marks Linda Brzezinski
1901 S CALUMET AVE #1408	Linda Merus
1901 S CALUMET AVE #1409	Carlene Kennelly Raymond Kennelly
1901 S CALUMET AVE #1410	Alisa Abraham
1901 S CALUMET AVE #1411	Michael Marcinkowski Artur Partyka
1901 S CALUMET AVE #1412	Gwenda Starling Jeremy Felton
1901 S CALUMET AVE #1501	Museum Park PI South LLC
1901 S CALUMET AVE #1502	Museum Park PI South LLC
1901 S CALUMET AVE #1503	Richard Camarota Alice Camarota
1901 S CALUMET AVE #1504	James Brodzinski Elaine Crable
1901 S CALUMET AVE #1505	Museum Park PI South LLC
1901 S CALUMET AVE #1506	Museum Park PI South LLC
1901 S CALUMET AVE #1507	Museum Park PI South LLC
1901 S CALUMET AVE #1508	Marcia Kozicki
1901 S CALUMET AVE #1509	Yuan Shan Amy Liu

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1901 S CALUMET AVE #1510	Stewart McMillan
1901 S CALUMET AVE #1511	Maria Carmen DeJesus
1901 S CALUMET AVE #1512	Christine Eichendorf
1901 S CALUMET AVE #1601	Robert Fritch Brenda Leisinger
1901 S CALUMET AVE #1602	Museum Park PI South LLC
1901 S CALUMET AVE #1603	Museum Park PI South LLC
1901 S CALUMET AVE #1604	Robert Fritch Brenda Leisinger
1901 S CALUMET AVE #1605	Jing Jing Wang
1901 S CALUMET AVE #1606	Museum Park PI South LLC
1901 S CALUMET AVE #1607	Museum Park PI South LLC
1901 S CALUMET AVE #1608	Liam Rockford
1901 S CALUMET AVE #1609	Museum Park PI South LLC
1901 S CALUMET AVE #1610	Museum Park PI South LLC
1901 S CALUMET AVE #1611	Cecilia, Arnel & Rolando Gruezo Janette Santos
1901 S CALUMET AVE #1612	Amber Coisman
1901 S CALUMET AVE #1701	Museum Park PI South LLC
1901 S CALUMET AVE #1702	Museum Park PI South LLC
1901 S CALUMET AVE #1703	Seung Kim
1901 S CALUMET AVE #1704	Museum Park PI South LLC
1901 S CALUMET AVE #1705	Fredrick Ellyin Lilly Ellyin
1901 S CALUMET AVE #1706	Museum Park PI South LLC
1901 S CALUMET AVE #1707	Samir Patel
1901 S CALUMET AVE #1708	Museum Park PI South LLC

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1901 S CALUMET AVE #1709	Renhua Li Chang Hong Li
1901 S CALUMET AVE #1710	Xiaoming Wang Xiaoying Ma
1901 S CALUMET AVE #1711	Albert Wagner Eva Bode
1901 S CALUMET AVE #1712	James Costello Robert Costello
1901 S CALUMET AVE #1801	Museum Park PI South LLC
1901 S CALUMET AVE #1802	Museum Park PI South LLC
1901 S CALUMET AVE #1803	Willis Young Carol Young
1901 S CALUMET AVE #1804	Museum Park PI South LLC
1901 S CALUMET AVE #1805	Elizabeth Wynes
1901 S CALUMET AVE #1806	Museum Park PI South LLC
1901 S CALUMET AVE #1807	Sandeep Sehgal Sangeeta Sehgal
1901 S CALUMET AVE #1808	Museum Park PI South LLC
1901 S CALUMET AVE #1809	Museum Park PI South LLC
1901 S CALUMET AVE #1810	Anecita Dominado Michelle Magbanua
1901 S CALUMET AVE #1811	John Shalaby
1901 S CALUMET AVE #1812	Corey Tobek Sarah Malouf
1901 S CALUMET AVE #1901	Museum Park PI South LLC
1901 S CALUMET AVE #1902	Museum Park PI South LLC
1901 S CALUMET AVE #1903	Museum Park PI South LLC
1901 S CALUMET AVE #1904	Museum Park PI South LLC
1901 S CALUMET AVE #1905	Farheen Mirza Sameer Barkatullah
1901 S CALUMET AVE #1906	Museum Park PI South LLC
1901 S CALUMET AVE #1907	Museum Park PI South LLC

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1901 S CALUMET AVE #1908	Museum Park PI South LLC
1901 S CALUMET AVE #1909	Museum Park PI South LLC
1901 S CALUMET AVE #1910	Arthur Christoph
1901 S CALUMET AVE #1911	Pete Antonopoulos
1901 S CALUMET AVE #1912	Erica Rangel Stephanie Rangel
1901 S CALUMET AVE #2001	Museum Park PI South LLC
1901 S CALUMET AVE #2002	Museum Park PI South LLC
1901 S CALUMET AVE #2003	Ben Li Yvonne Li
1901 S CALUMET AVE #2004	Museum Park PI South LLC
1901 S CALUMET AVE #2005	Rajamani Avula Hanumaraj Avula
1901 S CALUMET AVE #2006	Museum Park PI South LLC
1901 S CALUMET AVE #2007	Museum Park PI South LLC
1901 S CALUMET AVE #2008	Gilda Belmonte
1901 S CALUMET AVE #2009	Ting Liu
1901 S CALUMET AVE #2010	Paul Gorodisski
1901 S CALUMET AVE #2011	Amy Hampton Christopher Hampton
1901 S CALUMET AVE #2012	Catherine Lockwood Keith Lockwood
1901 S CALUMET AVE #2101	Museum Park PI South LLC
1901 S CALUMET AVE #2102	Museum Park PI South LLC
1901 S CALUMET AVE #2103	Cheing-Mei Suen Lai-Cherng Suen
1901 S CALUMET AVE #2104	Ping Ping Lu Shih Zhen Liu
1901 S CALUMET AVE #2105	Museum Park PI South LLC
1901 S CALUMET AVE #2106	Museum Park PI South LLC

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1901 S CALUMET AVE #2107	Museum Park PI South LLC
1901 S CALUMET AVE #2108	Michael Paddock Joanna Harchut
1901 S CALUMET AVE #2109	Hongping Jin
1901 S CALUMET AVE #2110	Haroon Sheikh Hafsa Mahmood
1901 S CALUMET AVE #2111	Museum Park PI South LLC
1901 S CALUMET AVE #2112	Miguel Tovar
1901 S CALUMET AVE #2201	Museum Park PI South LLC
1901 S CALUMET AVE #2202	Museum Park PI South LLC
1901 S CALUMET AVE #2203	Robert Wojcik Jr Dana Wojcik
1901 S CALUMET AVE #2204	Museum Park PI South LLC
1901 S CALUMET AVE #2205	Museum Park PI South LLC
1901 S CALUMET AVE #2206	Museum Park PI South LLC
1901 S CALUMET AVE #2207	Museum Park PI South LLC
1901 S CALUMET AVE #2208	Museum Park PI South LLC
1901 S CALUMET AVE #2209	Museum Park PI South LLC
1901 S CALUMET AVE #2210	Museum Park PI South LLC
1901 S CALUMET AVE #2211	Jingeng Zhu Yanhong Shen
1901 S CALUMET AVE #2212	Arash Attar Shahna Raoofi
1901 S CALUMET AVE #2301	Museum Park PI South LLC
1901 S CALUMET AVE #2302	Museum Park PI South LLC
1901 S CALUMET AVE #2303	Erika Pojas Angelita Pojas
1901 S CALUMET AVE #2304	Museum Park PI South LLC
1901 S CALUMET AVE #2305	Museum Park PI South LLC

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1901 S CALUMET AVE #2306	Museum Park PI South LLC
1901 S CALUMET AVE #2307	Museum Park PI South LLC
1901 S CALUMET AVE #2308	Michael Liccardi
1901 S CALUMET AVE #2309	Museum Park PI South LLC
1901 S CALUMET AVE #2310	Shivani Beri
1901 S CALUMET AVE #2311	Liangji Xu Xiaoping Wang
1901 S CALUMET AVE #2312	Maria McManus
1901 S CALUMET AVE #2401	Museum Park PI South LLC
1901 S CALUMET AVE #2402	Museum Park PI South LLC
1901 S CALUMET AVE #2403	Wei Xie
1901 S CALUMET AVE #2404	Museum Park PI South LLC
1901 S CALUMET AVE #2405	Sukriti Nag
1901 S CALUMET AVE #2406	Olmedo Tesoro
1901 S CALUMET AVE #2407	Bansi Sharma
1901 S CALUMET AVE #2408	Marina Khusid
1901 S CALUMET AVE #2409	Museum Park PI South LLC
1901 S CALUMET AVE #2410	Joya Paul Ajit Paul
1901 S CALUMET AVE #2411	Museum Park PI South LLC
1901 S CALUMET AVE #2412	Michael Jhattu Navneet Kaur
1901 S CALUMET AVE #2501	Museum Park PI South LLC
1901 S CALUMET AVE #2502	Museum Park PI South LLC
1901 S CALUMET AVE #2503	Yumin Li Xiubin Gao
1901 S CALUMET AVE #2504	Museum Park PI South LLC

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1901 S CALUMET AVE #2505	Museum Park PI South LLC
1901 S CALUMET AVE #2506	Olympia Tesoro
1901 S CALUMET AVE #2507	Joseph Cappelletti
1901 S CALUMET AVE #2508	William Zendnr Amber Zendner
1901 S CALUMET AVE #2509	Museum Park PI South LLC
1901 S CALUMET AVE #2510	Hong Zhao Jean Zhao
1901 S CALUMET AVE #2511	Museum Park PI South LLC
1901 S CALUMET AVE #2512	Museum Park PI South LLC
1901 S CALUMET AVE #2601	Museum Park PI South LLC
1901 S CALUMET AVE #2602	Jian Tang Yiyin Tong
1901 S CALUMET AVE #2603	Jing Zhang
1901 S CALUMET AVE #2604	Museum Park PI South LLC
1901 S CALUMET AVE #2605	Paul Schroeder
1901 S CALUMET AVE #2606	Samir Guirguis Nahed Guirguis
1901 S CALUMET AVE #2607	Museum Park PI South LLC
1901 S CALUMET AVE #2608	Craig Holuj
1901 S CALUMET AVE #2609	Museum Park PI South LLC
1901 S CALUMET AVE #2610	Museum Park PI South LLC
1901 S CALUMET AVE #2611	Museum Park PI South LLC
1901 S CALUMET AVE #2612	Bhagavatlal Morker Anand & Champaben Morker
1901 S CALUMET AVE #2701	Museum Park PI South LLC
1901 S CALUMET AVE #2702	Museum Park PI South LLC
1901 S CALUMET AVE #2703	Chao & Runlong Zhang Jun Zou

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1901 S CALUMET AVE #2704	Museum Park Pl South LLC
1901 S CALUMET AVE #2705	Museum Park Pl South LLC
1901 S CALUMET AVE #2706	Museum Park Pl South LLC
1901 S CALUMET AVE #2707	Carl Fleck
1901 S CALUMET AVE #2708	Brian Steinberg
1901 S CALUMET AVE #2709	Museum Park Pl South LLC
1901 S CALUMET AVE #2710	Museum Park Pl South LLC
1901 S CALUMET AVE #2711	Museum Park Pl South LLC
1901 S CALUMET AVE #2712	Nathaniel Young-Min Yoo Eun Ji Chung
1901 S CALUMET AVE #2801	Daniel O'Sullivan Diane O'Sullivan
1901 S CALUMET AVE #2802	Museum Park Pl South LLC
1901 S CALUMET AVE #2803	Qianjin Liu Qing Chen
1901 S CALUMET AVE #2804	Museum Park Pl South LLC
1901 S CALUMET AVE #2805	Museum Park Pl South LLC
1901 S CALUMET AVE #2806	Museum Park Pl South LLC
1901 S CALUMET AVE #2807	Tracy Choka Alex Choka
1901 S CALUMET AVE #2808	Enrique Galicia Maria Del Carmen Hernandez
1901 S CALUMET AVE #2809	Museum Park Pl South LLC
1901 S CALUMET AVE #2810	Museum Park Pl South LLC
1901 S CALUMET AVE #2811	Museum Park Pl South LLC
1901 S CALUMET AVE #2812	Museum Park Pl South LLC
1901 S CALUMET AVE #2901	Neelam Solanki
1901 S CALUMET AVE #2902	Museum Park Pl South LLC

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1901 S CALUMET AVE #2903	Oscar & Thereasa Giron Lynda Belhoucine
1901 S CALUMET AVE #2904	Museum Park Pl South LLC
1901 S CALUMET AVE #2905	Museum Park Pl South LLC
1901 S CALUMET AVE #2906	Bansi Sharma Tanjeev Kaur
1901 S CALUMET AVE #2907	Marcus Peter Andrea Murmann
1901 S CALUMET AVE #2908	Sibyl Wray Barnaby Wray
1901 S CALUMET AVE #2909	Museum Park Pl South LLC
1901 S CALUMET AVE #2910	Museum Park Pl South LLC
1901 S CALUMET AVE #2911	Fernando Rosendo Helen Rosendo
1901 S CALUMET AVE #2912	Museum Park Pl South LLC
1901 S CALUMET AVE #601	James Smith Terese Smith
1901 S CALUMET AVE #602	Museum Park Pl South LLC
1901 S CALUMET AVE #603	Patrick Gross
1901 S CALUMET AVE #604	Museum Park Pl South LLC
1901 S CALUMET AVE #605	Frank Gross Randal Gross
1901 S CALUMET AVE #606	Museum Park Pl South LLC
1901 S CALUMET AVE #607	Museum Park Pl South LLC
1901 S CALUMET AVE #608	Sitihiamphone Phetchampone
1901 S CALUMET AVE #609	Hiralal Dedhia Sarla Dedhia
1901 S CALUMET AVE #610	Suzanne Mizgata
1901 S CALUMET AVE #611	Rene Singson Jovita Singson
1901 S CALUMET AVE #612	James Moser
1901 S CALUMET AVE #701	Museum Park Pl South LLC

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1901 S CALUMET AVE #702	Museum Park PI South LLC
1901 S CALUMET AVE #703	Museum Park PI South LLC
1901 S CALUMET AVE #704	Museum Park PI South LLC
1901 S CALUMET AVE #705	Museum Park PI South LLC
1901 S CALUMET AVE #706	Museum Park PI South LLC
1901 S CALUMET AVE #707	Museum Park PI South LLC
1901 S CALUMET AVE #708	Museum Park PI South LLC
1901 S CALUMET AVE #709	Bienvenido Bautista Josefina Bautista
1901 S CALUMET AVE #710	Scott Knutsen Melissa Kelley Knutsen
1901 S CALUMET AVE #711	Guoping Wang Shaojing Zheng
1901 S CALUMET AVE #712	Sandra Ford
1901 S CALUMET AVE #801	Museum Park PI South LLC
1901 S CALUMET AVE #802	Museum Park PI South LLC
1901 S CALUMET AVE #803	Museum Park PI South LLC
1901 S CALUMET AVE #804	Museum Park PI South LLC
1901 S CALUMET AVE #805	Museum Park PI South LLC
1901 S CALUMET AVE #806	Museum Park PI South LLC
1901 S CALUMET AVE #807	Museum Park PI South LLC
1901 S CALUMET AVE #808	Mary Ellen O'Grady
1901 S CALUMET AVE #809	Marion MaCalaguin Myrna MaCalaguin
1901 S CALUMET AVE #810	Shawn Jing
1901 S CALUMET AVE #811	Museum Park PI South LLC
1901 S CALUMET AVE #812	Sheree Ramsay Noel Ruiz

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List of Unit Owners

1901 S CALUMET AVE #901	Museum Park PI South LLC
1901 S CALUMET AVE #902	Museum Park PI South LLC
1901 S CALUMET AVE #903	Museum Park PI South LLC
1901 S CALUMET AVE #904	Museum Park PI South LLC
1901 S CALUMET AVE #905	Museum Park PI South LLC
1901 S CALUMET AVE #906	Museum Park PI South LLC
1901 S CALUMET AVE #907	Museum Park PI South LLC
1901 S CALUMET AVE #908	Devin Patterson Gaynor Hall
1901 S CALUMET AVE #909	Wenjie Zhang Jian Chen
1901 S CALUMET AVE #910	Chunyan Liu
1901 S CALUMET AVE #911	Ann Grigsby Allan Anderson
1901 S CALUMET AVE #912	Lettie Butler

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The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Chapter 11-8 of the Municipal Code of Chicago is hereby amended by adding a new Section 11-8-385 and by amending Section 11-8-390 by inserting the language in italics, as follows:

11-8-385 Potable Water Defined.

Potable water is any water used for human consumption, including, but not limited to water used for drinking, bathing, washing dishes, preparing foods and watering gardens in which produce intended for human consumption is grown.

11-8-390 Prohibited Use Of Secondary Water; Prohibited Installation Of New Potable Water Supply Wells.

No secondary water shall overflow into or be discharged into any surge tank, storage tank, or reservoir, or shall in any way be piped or conveyed into the water supply system of any building, structure, or premises to become a part of or be mixed with the fresh water supply from the mains of the Chicago Waterworks System either inside of the premises or in the water service pipe. Secondary water shall not be piped to or used in any plumbing fixture, or for cooling crushers, rollers, or mixers where foods, candies, liquids or materials are manufactured for human or animal consumption. No connection, tap, or opening shall be made in a water distribution system other than an approved water distribution system which will permit such water being used for drinking.

Wherever the fire-protective equipment in any building, structure or premises has service from the Chicago Waterworks System, no pipe or other conduit which conveys secondary water shall be cross-connected to the fire-protective equipment. All fire-protective equipment connected to the Chicago Waterworks System shall be constructed in such manner that

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all tanks, pipes, pumps, surge tanks, and fire hydrants can be thoroughly drained, flushed and cleaned by the owners of such equipment and premises and there shall be no direct connections from the tanks, pipes and other equipment to any drainage pipes or sewers. *No groundwater well, cistern or other groundwater collection device installed after the effective date of this amendatory ordinance may be used to supply any potable water supply system, except at points of withdrawal by the City of Chicago or by units of local government pursuant to intergovernmental agreement with the City of Chicago.*

SECTION 2. Section 2-30-030 of the Municipal Code of Chicago is hereby amended by deleting the language in brackets and inserting the language in italics, as follows:

2-30-030 Commissioner -- Powers And Duties Designated.

The commissioner of the environment shall have the following powers and duties:

* * * * *

(21) To enter into grant agreements, cooperation agreements and other agreements or contracts with governmental entities, private business and civic and community groups necessary to implement the Green Streets Program and other urban forestry, beautification and environmental enhancement programs; *and agreements to implement the State of Illinois Site Remediation Program;*

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

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STATE OF ILLINOIS,
County of Cook. } ss.

I, JAMES J. LASKI City Clerk of the City of Chicago in the County of Cook and State of Illinois, DO HEREBY CERTIFY that the annexed and foregoing is a true and correct copy of that certain ordinance now on file in my office amending Title 11, Chapter 8 and Title 2, Chapter 30 of Municipal Code of Chicago by establishing the definition and regulation of the potable water supply system and Empowerment of Commissioner of Environment for Implementation of State of Illinois Site Remediation Program.

I DO FURTHER CERTIFY that the said ordinance was passed by the City Council of the said City of Chicago on the fourteenth (.14th) day of May, A.D. 1997, and deposited in my office on the fourteenth (.14th) day of May, A.D. 1997.

I DO FURTHER CERTIFY that the vote on the question of the passage of the said ordinance by the said City Council was taken by yeas and nays and recorded in the Journal of the Proceedings of the said City Council, and that the result of said vote so taken was as follows, to wit: Yeas, 47, Nays, none.

I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor did approve and sign the said ordinance on the fourteenth (.14th) day of May, A.D. 1997.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Chicago aforesaid, at the said City, in the County and State aforesaid, this third (.3rd) day of February, A.D. 1998.

[L. S.]

James J. Laski
JAMES J. LASKI, City Clerk.

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City of Chicago
Richard M. Daley, Mayor

Department of Environment

Henry L. Henderson
Commissioner

Twenty-fifth Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575
(312) 744-7606 (Voice)
(312) 744-6451 (FAX)
(312) 744-3586 (TTY)
<http://www.ci.chi.il.us>

July 1, 1997

Mr. Gary P. King
Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
1001 N. Grand Avenue, East
Springfield, IL 62702

Re: Chicago Ordinance No. 097990

Dear Mr. King:

Pursuant to 35 Ill. Adm. Code 742.1015(l)(2), Section 11-8-385 and 11-8-390 of the Municipal Code of Chicago, as amended by Ordinance No. 097990, apply to all areas within the corporate limits of the City of Chicago.

Sincerely,

Henry L. Henderson
Commissioner

cc: Mort Ames
Asst. Corp. Counsel

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MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHICAGO, ILLINOIS AND THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER REMEDIATION" DETERMINATIONS BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY TO THE CITY OF CHICAGO

I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") is entered into between the City of Chicago, Illinois ("the City") and the Illinois Environmental Protection Agency ("Illinois EPA") for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that the City will be provided with copies of all "No Further Remediation" letters or determinations issued by the Illinois EPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable the City to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5). The Illinois EPA has reviewed Sections 11-8-385 and 11-8-390 of the Municipal Code of Chicago as amended by Ordinance Number 097990 ("Potable Water Supply Well Ordinance"), attached as Attachment A, and has determined that the Municipal Code of Chicago prohibits the installation and use of new potable water supply wells by private entities but will allow the installation of potable water supply wells by the City and other units of local government pursuant to intergovernmental agreements with the City. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the City may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.
- B. The intent of this Memorandum of Understanding is to (a) specify the responsibilities that must be assumed by the City to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i), and (b) require the Illinois EPA to provide the City with copies of all "No Further Remediation" letters or determinations that the Illinois EPA issues for sites located within the City of Chicago to enable the City to maintain a registry of sites pursuant to 35 Ill. Adm. Code 742.1015(i)(5).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

- A. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance is effectively managed, the City hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(i):

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1. The City will notify the Illinois EPA Bureau of Land of any changes to or requests for variance from the Potable Water Supply Well Ordinance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(i)(4));
2. The City will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA pursuant to specific programs (35 Ill. Adm. Code 742.1015(i)(5));
3. If the City determines to install a new potable water supply well(s), the City will review the registry of sites established under paragraph II.A.2. prior to siting such potable water supply well(s) within the area covered by the Potable Water Supply Well Ordinance, pursuant to 35 Ill. Adm. Code 742.1015(i)(6)(A);
4. If the City determines to install a new potable water supply well(s), the City will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II.A.2. and 3. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and
5. If the City determines to install a new potable water supply well(s), the City will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015(i)(6)(C));
6. If the City enters into intergovernmental agreements under Section 11-8-390 of the Municipal Code of Chicago to allow other units of local government to install new potable water supply well(s) within the corporate limits of the City, the City will require compliance with the procedures set forth in paragraphs II.A.3., 4., and 5. as a part of such agreements.
7. Notification under paragraph II.A.1. above, or other communications concerning this MOU directed to the Illinois EPA, shall be addressed to:

Manager, Division of Remediation Management
 Bureau of Land
 Illinois Environmental Protection Agency
 P.O. Box 19276
 Springfield, IL 62794-9276

- B. In order to ensure the long-term integrity of the Potable Water Supply Well Ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the Potable Water Supply Well Ordinance or other specific programs can be effectively managed, the Illinois EPA hereby assumes

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the following responsibilities:

1. The Illinois EPA will provide the City with copies of all "No Further Remediation" letters or determinations that it issues pursuant to 35 Ill. Adm. Code 742, and other specific programs, for sites located within the boundaries of the City at the time said letters or determinations are provided to remediation applicants.
2. Copies of "No Further Remediation" letters or determinations provided to the City pursuant to paragraph II.B.1. above, or other communications concerning this MOU directed to the City, shall be addressed to:

Commissioner
Chicago Department of Environment
25th Floor
30 North LaSalle Street
Chicago, IL 60602-2575

III. SUPPORTING DOCUMENTATION

The following documentation is required by 35 Ill. Adm. Code 742.1015(i) and is attached to this MOU:

- A. Attachment A: A copy of the Potable Water Supply Well Ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3)) and a statement of the authority of the City to enter into the MOU (35 Ill. Adm. Code 742.1015(i)(1));
- B. Attachment B: Identification of the legal boundaries within which the Potable Water Supply Well Ordinance is applicable (35 Ill. Adm. Code 742.1015(i)(2)); and

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IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

FOR: The City of Chicago, Illinois

BY: *Abos L. Henderson* DATE: *July 1, 1997*
Commissioner
Department of Environment
City of Chicago

FOR: Illinois Environmental Protection Agency

BY: *Gary P. King* DATE: *July 3, 1997*
(Name and title of signatory)
Mgr, Division of Remediation Management
Bureau of Land

Version 6/27/97

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DEPARTMENT OF FLEET AND FACILITY MANAGEMENT
CITY OF CHICAGO

March 2, 2012

Kyle Rominger
Deputy Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

Dear Mr. Rominger:

Enclosed is the executed original of the amendment to the agreement between the Illinois Environmental Protection Agency and the City of Chicago regarding the Use of a Local Potable Water Supply Well Ordinance.

Thank you for your assistance with these changes.

Sincerely,

Kimberly Worthington, P.E., LEED AP
Deputy Commissioner
Bureau of Environmental Management

Enclosure

RECEIVED
Division of Legal Counsel

MAR 14 2012

Environmental Protection
Agency

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AGREEMENT TO AMEND THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF CHICAGO ILLINOIS AND THE ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY REGARDING (A) THE USE OF A LOCAL POTABLE WATER
SUPPLY WELL ORDINANCE AS AN ENVIRONMENTAL INSTITUTIONAL CONTROL
AND (B) THE PROVISION OF INFORMATION RELATING TO "NO FURTHER
REMEDICATION" DETERMINATIONS BY THE ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY TO THE CITY OF CHICAGO

This agreement is made and entered into by and between the Illinois Environmental Protection Agency ("IEPA") and the City of Chicago ("CITY") to amend the above referenced Memorandum of Understanding dated July 1997 ("1997 MOU").

WHEREAS, the IEPA and CITY entered into the 1997 MOU for the purpose of (a) satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of potable water supply well ordinances as environmental institutional controls and (b) ensuring that CITY will be provided copies of all "No Further Remediation" letters or determinations issued by IEPA pursuant to specific programs for sites located within the boundaries of Chicago, Illinois, in order to enable CITY to maintain a complete and up-to-date registry of sites as required by 35 Ill. Adm. Code 742.1015(i)(5); and

WHEREAS, the 1997 MOU provided at Section II B. 2. the address for copies of "No Further Remediation" letters, determinations, or other communications concerning the MOU to be directed to the CITY's Department of Environment at 25th Floor, 30 North LaSalle Street, Chicago, Illinois 60602; and

WHEREAS, a portion of the CITY's Department of Environment has been merged into the CITY's Department of Fleet and Facility Management as of January 1, 2012, and the 1997 MOU is now being administered by the CITY under its Department of Fleet and Facility Management; and

WHEREAS, the IEPA and CITY desire to correct the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY listed at Section II B. 2. of the 1997 MOU; and

WHEREAS, the IEPA and CITY desire for all other provisions of the 1997 MOU to remain the same.

NOW, THEREFORE, IEPA and CITY hereby agree to amend that part of Section II B. 2. of the 1997 MOU that provides the address to send copies of "No Further Remediation" letters, determinations, or other communications to the CITY as follows, with all other parts of Section II B. 2. to remain the same:

Commissioner
Chicago Department of Fleet and Facility Management
30 North LaSalle Street
Suite 300
Chicago, Illinois 60602

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Commissioner
Chicago Department of Environment
25th Floor
30 North LaSalle Street
Chicago, Illinois 60602-2575


By the signatures of their authorized representatives below, the IEPA and CITY acknowledge they have read and understand this agreement and intend for this agreement to take effect upon execution.

City of Chicago, by and through the
Department of Fleet and Facility Management:

Illinois Environmental Protection Agency



David J. Reynolds
Commissioner
Department of Fleet and Facility Management



John L. Kim
Interim Director

Date: 02/02/12

Date: 2/22/12

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