

# 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

JOHN J. KIM, INTERIM DIRECTOR

217/524-3300

CERTIFIED MAIL

7010 2780 0002 1164 3965

OCT 31 2012

McDonald's Corporation  
Attn: Anita Thomas  
4320 Winfield Road  
Warrenville, Illinois 60555



Doc#: 1301546182 Fee: \$60.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 01/15/2013 01:41 PM Pg: 1 of 12

Re: LPC #0316506462-- Cook County  
Chicago/McDonald's Corporation  
2609 South Kedzie Avenue  
Leaking UST Incident No. 20120238-- NFR Letter  
Leaking UST Technical File

Dear Ms Thomas:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the 45 Day/Corrective Action Completion Report submitted for the above-referenced incident. This information was dated May 7, 2012 and was received by the Illinois EPA on July 19, 2012. Citations in this letter are from the Environmental Protection Act (Act), as amended by Public Act 92-0514 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 Collin W. Gray, 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. McDonald's Corporation, 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.

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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.

## 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:
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

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- b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

## PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

Engineering: A building and 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 building and asphalt barrier is to be properly maintained as an engineered barrier to inhibit inhalation and ingestion of the contaminated media.

Institutional: This Letter shall be recorded as a permanent part of the chain of title for the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter.

### Groundwater Use Ordinance

Section 11-8-390 of the Municipal Code of Chicago 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:

Each affected or potentially affected (as shown through contaminant modeling) property owner and the City of Chicago 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:

- a. The name and address of the unit of local government;
- b. The citation of the ordinance used as an institutional control in this Letter;
- c. A description of the property being sent notice by adequate legal description or by reference to a plat showing the boundaries;
- d. A statement that the ordinance restricting the groundwater use was used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
- e. A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
- f. A statement as to where more information may be obtained regarding the ordinance.

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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.

As a part of its corrective action, the leaking underground storage tank site has relied upon Section 11-8-390 of the Municipal Code of Chicago that prohibits potable uses of groundwater as defined therein.

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 and/or groundwater removed or excavated from, or disturbed at, the above-referenced site, more particularly described in the Leaking Underground Storage Tank Environmental Notice of this Letter, must be handled in accordance with all applicable laws and regulations under 35 Ill. Adm. Code Subtitle G.
7. Further information regarding the above-referenced site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency  
 Attention: Freedom of Information Act Officer  
 Bureau of Land - #24  
 1021 North Grand Avenue East  
 Post Office Box 19276  
 Springfield, IL 62794-9276

8. Pursuant to 35 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide Notice of Voidance to the owner or operator of the leaking underground storage tank system(s) associated with the above-referenced incident and the current title holder of the real estate on which the tanks were located, at their last known addresses. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of the voidance. Specific acts or omissions that may result in the voidance of this Letter include, but shall not be limited to:
  - a. Any violation of institutional controls or industrial/commercial land use restrictions;

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

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

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

If you have any questions or need further assistance, please contact Matthew Urish, P.G., at 217/782-6762.

Sincerely,



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

MTL:MU\20120238.doc

cc: Don Cassier, SEECO Environmental Services, Inc.

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description  
Institutional Control Location Map  
City of Chicago Ground Water Use Ordinance No. 097990

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## PREPARED BY:

Name: McDonald's Corporation  
Attn: Anita Thomas

Address: 2609 South Kedzie Avenue  
Chicago, Illinois 60623

## RETURN TO:

Name: McDonald's Corporation  
Attn: Anita Thomas

Address: 4320 Winfield Road  
Warrenville, Illinois 60555

(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 No.: 0316306462

Leaking UST Incident No.: 20120238

McDonald's Corporation, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 4320 Winfield Road, Warrenville, Illinois 60555, 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: 2609 South Kedzie Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 16-25-300-002-0000, 16-25-300-003-0000, 16-25-300-007-0000, 16-25-300-008-0000, 16-25-300-009-0000, 16-25-300-044-0000
4. Site Owner: McDonald's Corporation
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

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Property of Clerk's Office

## ALTA/ACSM LAND TOILE SURVEY

### LEGAL DESCRIPTION

PARCEL 1:

LOTS 41, 42, 43, 44, 45, 46, 47, 48, AND 49 IN JORDAN MATTHEWS' SUBDIVISION OF BLOCK 7 IN THE SUPERIOR CREDIT COMMERCIAL PARISH OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARS DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 41, BEING NORTH 00 DEGREES 13 SECONDS 34' WEST ALONG THE WEST LINE OF SAID LOT 41, 43, 45, 47, 49, A DISTANCE OF 716.2 FEET TO THE NORTHWEST CORNER OF SAID LOT 49, BEING SOUTH 00 DEGREES 13 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 49, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 48, BEING NORTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 48, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 47, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 47, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 46, BEING NORTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 46, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 45, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 45, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 44, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 44, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 43, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 43, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 42, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 42, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 41, A DISTANCE OF 716.2 FEET TO THE POINT OF BEGINNING, IN DEER COUNTY, MISSOURI.

PARCEL 2:

THE NORTH 200 FEET OF LOT 49, TOGETHER WITH LOTS 39, AND 40 IN JORDAN MATTHEWS' SUBDIVISION OF BLOCK 7 IN THE SUPERIOR CREDIT COMMERCIAL PARISH OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARS DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 47, BEING SOUTH 00 DEGREES 13 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 47, A DISTANCE OF 716.2 FEET TO THE NORTHWEST CORNER OF SAID LOT 49, BEING SOUTH 00 DEGREES 13 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 49, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 48, BEING NORTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 48, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 47, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 47, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 46, BEING NORTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 46, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 45, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 45, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 44, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 44, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 43, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 43, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 42, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 42, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 41, A DISTANCE OF 716.2 FEET TO THE POINT OF BEGINNING, IN DEER COUNTY, MISSOURI.

PARCELS 1 AND 2, AS A TRACT ALSO DESCRIBED AS:

THE NORTH 200 FEET OF LOT 49, TOGETHER WITH LOTS 39, AND 40, IN JORDAN MATTHEWS' SUBDIVISION OF BLOCK 7 IN THE SUPERIOR CREDIT COMMERCIAL PARISH OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARS DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 49, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39 AND 38, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 38, BEING NORTH 89 DEGREES 41 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 38, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 37, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 37, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 36, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 36, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 35, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 35, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 34, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 34, A DISTANCE OF 716.2 FEET TO THE WEST LINE OF SAID LOT 33, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 33, A DISTANCE OF 114.8 FEET TO THE WEST LINE OF SAID LOT 32, BEING SOUTH 00 DEGREES 13 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 32, A DISTANCE OF 716.2 FEET TO THE POINT OF BEGINNING, IN DEER COUNTY, MISSOURI.

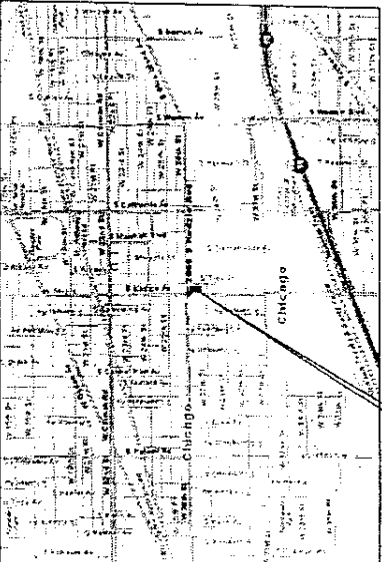


CALL DIGGER  
48 Hours (2 Working Days) Reply You Dig  
1-312-744-7000

AREA SUMMARY  
(TO HEAVY LINES)

PARCEL 1	27,750 SQUARE FEET	OR	0.634 ACRES
PARCEL 2	8,374 SQUARE FEET	OR	0.191 ACRES
TOTAL	33,484 SQUARE FEET	OR	0.789 ACRES

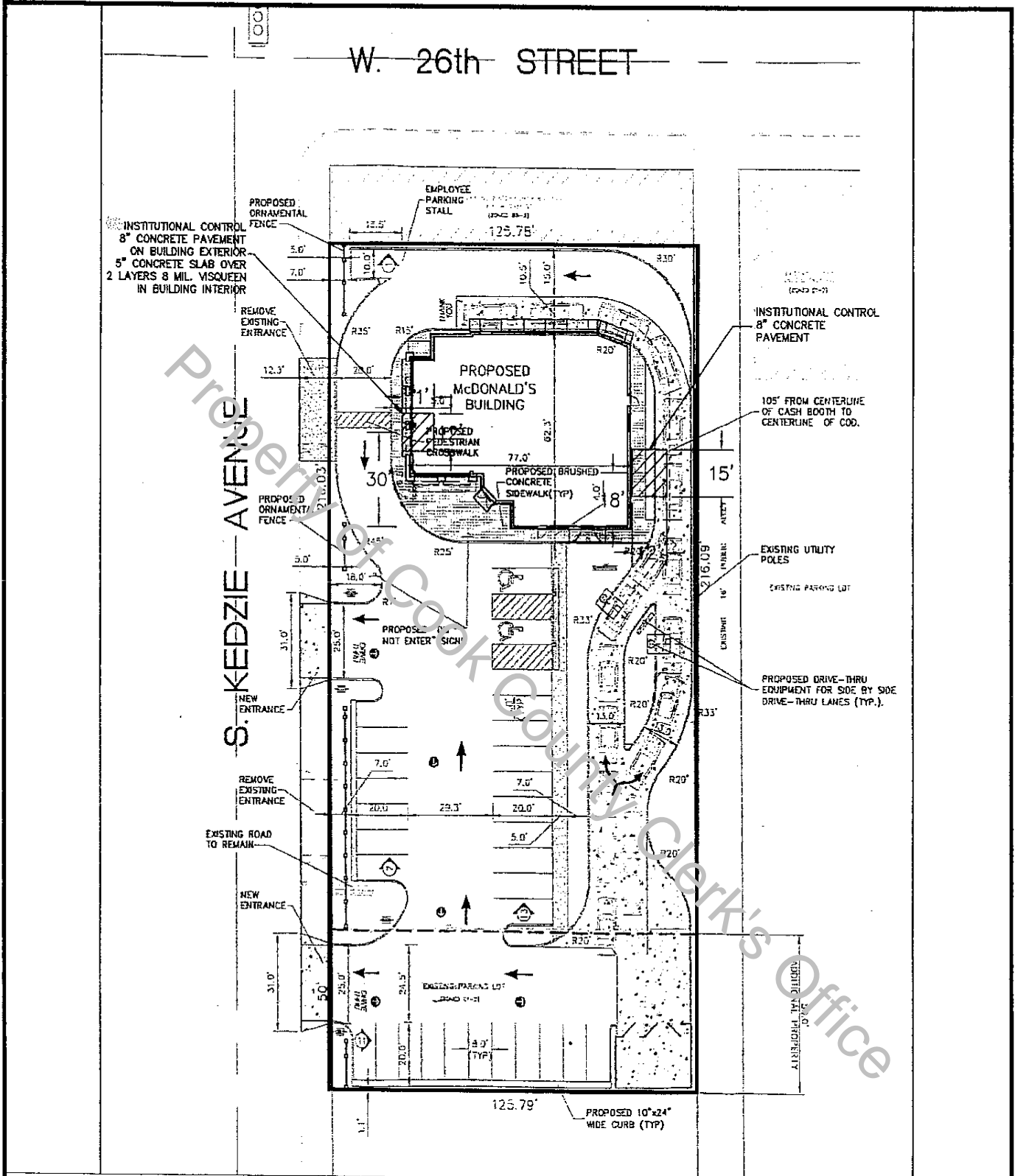
(BASED ON MEASUREMENTS)



SITE LOCATION  
VICINITY MAP  
MISSOURI



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INSTITUTIONAL CONTROL  
8" CONCRETE PAVEMENT  
ON BUILDING EXTERIOR  
5" CONCRETE SLAB OVER  
2 LAYERS 8 MIL. VISQUEEN  
IN BUILDING INTERIOR

INSTITUTIONAL CONTROL  
8" CONCRETE  
PAVEMENT

105' FROM CENTERLINE  
OF CASH BOOTH TO  
CENTERLINE OF COD.

EXISTING UTILITY  
POLES

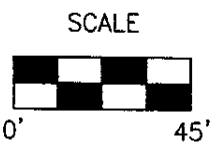
EXISTING PARKING LOT

PROPOSED DRIVE-THRU  
EQUIPMENT FOR SIDE BY SIDE  
DRIVE-THRU LANES (TYP.)

ADDITIONAL PROPERTY  
LINE

PROPOSED 10"x24"  
WIDE CURB (TYP)

- Property Boundary
- Tank Pit Location



### SITE FEATURES MAP

<b>CLIENT</b>			
McDONALDS USA LLC			
<b>PROJECT NAME &amp; LOCATION</b>			
RESTAURANT REBUILD 3000 SOUTH KEDZIE AVENUE CHICAGO, ILLINOIS 60682			
DRAWN BY MT	APPROVED CWG	DATE 10/18/12	JOB NO. 102379C
SCALE 1"=45'	FIGURE 1		

**SEECO Environmental Services, Inc.**  
7360 Duwan Drive, Tinley Park, Illinois 60477



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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.

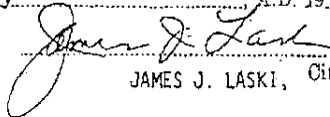
I DO FURTHER CERTIFY that the said ordinance was delivered to the Mayor of the said City of Chicago after the passage thereof by the said City Council, without delay, by the City Clerk of the said City of Chicago, and that the said Mayor did approve and sign the said ordinance on the fourteenth (14th)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

[L.S.] County and State aforesaid, this third (3rd) day of February, A.D. 1998.

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JAMES J. LASKI, City Clerk

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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

## 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 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