

# UNOFFICIAL COPY

PREPARED BY:

Name: Salvation Army  
Address: 825 North Christiana Avenue  
Chicago, IL 60651



Doc#: 1508616081 Fee: \$50.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 03/27/2015 03:47 PM Pg: 1 of 7

RETURN TO:

Name: Salvation Army  
Attn: Captain Merrill Powers  
Address: 1515 Monroe Street  
Chicago, IL 60607

(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.: 0316235195

Leaking UST Incident No.: 20140771

Salvation Army, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 1515 Monroe Street, Chicago, IL 60607, 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: 825 North Christiana Avenue, Chicago, IL 60651
3. Real Estate Tax Index/Parcel Index Number: 16-02-428-045
4. Site Owner: Salvation Army
5. Land Use Limitation: **There are no land use limitations.**
6. See the attached No Further Remediation Letter for other terms.

jmd

Attachment: Legal Description

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PARCEL 2: THAT PART OF LOTS 12, 13, 14, 15, AND 16 IN BLOCK 3 OF N. T. WRIGHT'S SUBDIVISION OF LOT 4 OF THE SUPERIOR COURT PARTITION OF THE EAST ½ OF SECTION 2, TOWNSHIP 39 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED OCTOBER 9, 1892 AS DEOCUMENT NO. 61043, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE SOUTHEAST CORNER OF LOT 16 AND RUNNING THENCE NORTH ALONG THE WEST LINE OF NORTH SPAULDING AVENUE, 24 FEET AND 8 ¼ INCHES MORE OR LESS TO THE SOUTHWESTERLY LINE OF A STRIP OF LAND COVEYED TO CHICAGO MILWUAKEE AND STT. PAUL RAILWAY COMPANY, BY DEED FROM ANDREW O. BUTLER ND HIS WIFE, DATED APRIL 5, 1899 AND RECORDED APRIL 5, 1899, AS DOCUMENT NO. 2829285; THERNCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID STRIP OF LAND TO A POINT IN THE NORTH LINE OF LOT 12, WHICH IS 5 FEET AND 3 INCHES, MORE O RLESS, EAST OF THE NORTHWEST CORNER OF SIAD LOT 12; THENCE WEST ALONG THE NORTH LINE OF LOT 12 TO THE NORTHWEST CORNER OF SAID LOT, VENING A POINT IN THE EAST LINE OF AN ALLEY. HTNECE SOUTH ALONG THE EAST LINE OF SAID ALLEY TO TH ESOUTHWEST CORNER OF SAID LOT 16, AFORESAID; THENCE EAST ALONG THE SOUTHE LINE OF LOT 16 TO THE PLACE OF ENGINNING. IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office



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## 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, DIRECTOR

217/524-3300

**CERTIFIED MAIL**

Originally Issued:  
October 10, 2014

7012 0470 0001 2974 1975

Revised: **MAR 16 2015**

9107 814VW

Salvation Army  
Attn: Captain Merrill Powers  
1515 Monroe Street  
Chicago, IL 60607

Re: LPC #0316235195 - Cook County  
Chicago/Salvation Army  
825 North Christiana Avenue  
Leaking UST Incident No. 20140771 -- NFR Letter  
Leaking UST Technical File

Dear Captain Powers:

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 September 9, 2014 and was received by the Illinois EPA on September 11, 2014. Citations in this letter are from the Environmental Protection Act (415 ILCS 5) (Act) and Title 35 of the 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 Brett Gitskin, 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:

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1. Salvation Army, the owner or operator of the underground storage tank system(s).
2. Any parent corporation or subsidiary of such owner or operator.
3. Any co-owner or co-operator, either by joint tenancy, right-of-survivorship, or any other party sharing a legal relationship with the owner or operator to whom the Letter is issued.
4. Any holder of a beneficial interest of a land trust or inter vivos trust whether revocable or irrevocable.
5. Any mortgagee or trustee of a deed of trust of such owner or operator.
6. Any successor-in-interest of such owner or operator.
7. Any transferee of such owner or operator whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest.
8. Any heir or devisee of such owner or operator.
9. An owner of a parcel of real property to the extent that this Letter applies to the occurrence on that parcel.

This Letter and all attachments, including but not limited to the Leaking Underground Storage Tank Environmental Notice, must be filed within 45 days of receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the county in which the above-referenced site is located. 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.

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2. As a result of the release from the underground storage tank system(s) associated with the above-referenced incident, the above-referenced site, more particularly described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter, shall not be used in a manner inconsistent with the following land use limitation: **There are no land use limitations.**
3. The land use limitation specified in this Letter may be revised if:
  - a. Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
  - b. A new No Further Remediation Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

## PREVENTIVE, ENGINEERING, AND INSTITUTIONAL CONTROLS

4. Preventive: None.

Engineering: None.

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

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.

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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 25 Ill. Adm. Code 734.720, should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice 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

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

hac:jmd:jk\140771-NFR.dotx

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description

c: ECS Midwest, LLC, Alissa Braun  
BOL File

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