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PREPARED BY:



Name: James Tate
Enbridge Energy

Address: 119 North 25th Street East
Superior, Wisconsin 54880

Doc#: 1511749061 Fee: \$56.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 04/27/2015 02:51 PM Pg: 1 of 10

RETURN TO:

Name: James Tate
Enbridge Energy

Address: 119 North 25th Street East
Superior, Wisconsin 54880

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: 0894385718

Enbridge Energy, the Remediation Applicant, whose address is 119 North 25th Street East, Superior, Wisconsin 54880, has performed investigative and/or remedial activities for the remediation site depicted on the attached Site Base Map and identified by the following:

1. GPS Remediation Site Coordinates:

NORTHWEST REMEDIATION SITE CORNER

N 42.015937°
W 88.238452°

NORTHEAST REMEDIATION SITE CORNER

N 42.015845°
W 88.237824°

SOUTHWEST REMEDIATION SITE CORNER

N 42.015445°
W 88.238527°

SOUTHEAST REMEDIATION SITE CORNER

N 42.015364°
W 88.237899°

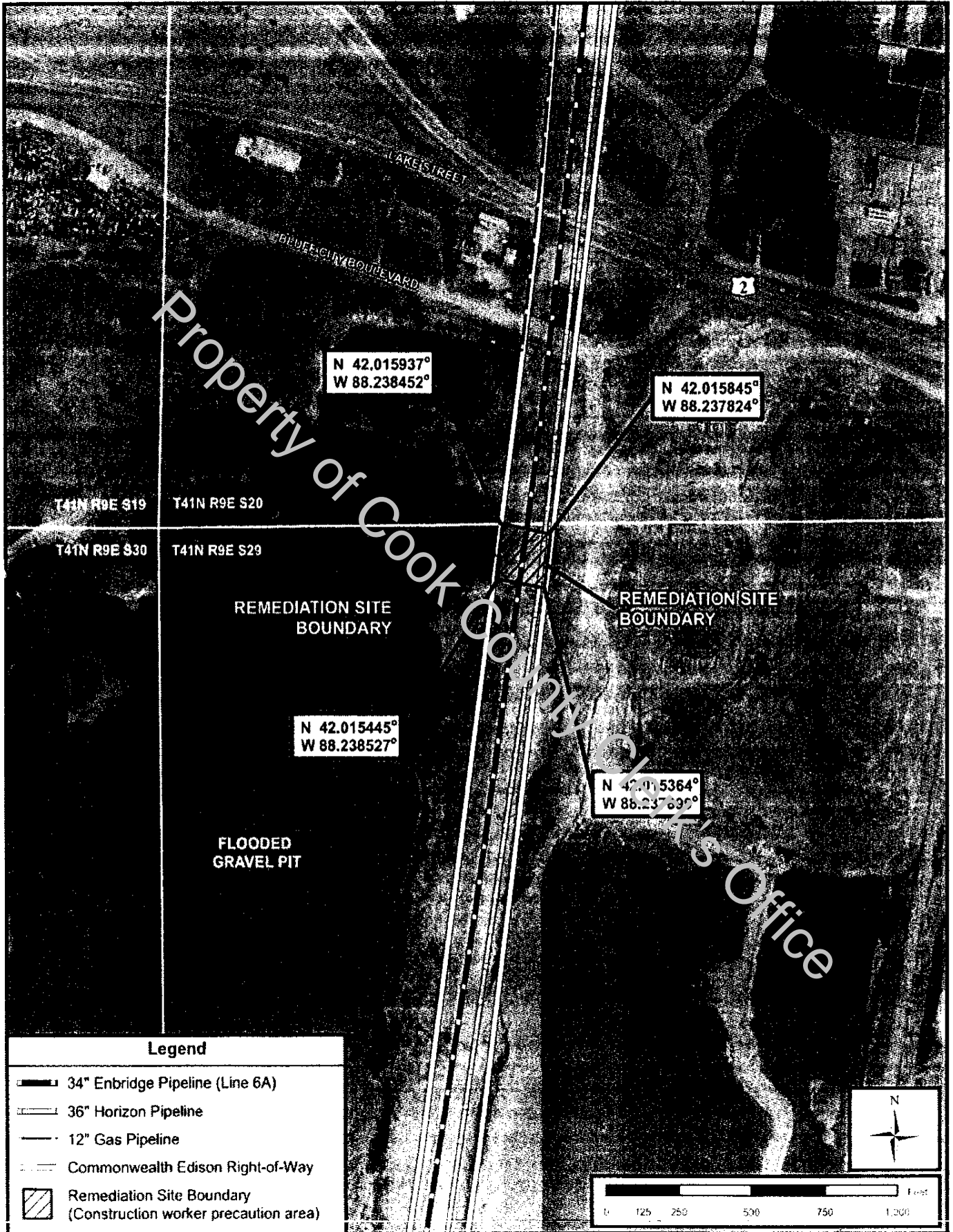
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2. Common Address: 1301 Bluff City Boulevard, Elgin, Illinois
3. Real Estate Tax Index/Parcel Index Number: 06-29-100-011-0000
4. Remediation Site Owner: Bluff City Materials
5. Land Use: Industrial/Commercial
6. Site Investigation: Focused

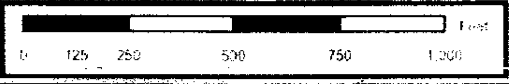
See NFR letter for other terms.

Property of Cook County Clerk's Office

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Legend	
	34" Enbridge Pipeline (Line 6A)
	36" Horizon Pipeline
	12" Gas Pipeline
	Commonwealth Edison Right-of-Way
	Remediation Site Boundary (Construction worker precaution area)



	Elgin/Enbridge Energy Pipeline Release 0894385718/Cook County 1301 Bluff City Boulevard Site Remediation Program/Technical Reports Figure 12: Site Base Map	DATE ISSUED: March 2007 DATE REVISED: 12-09-2010 SCALE: 1:5000 DRAWN BY: NMS SERIES: R5CR
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SITE REMEDIATION PROGRAM
TABLE A: REGULATED SUBSTANCES OF CONCERN
0894385718 – ENBRIDGE ENERGY PIPELINE RELEASE

BTEX Indicator Contaminants

CAS No.	Compound Name
71-43-2	Benzene
100-41-4	Ethylbenzene
108-88-3	Toluene
1330-20-7	Xylene (totals)

Semivolatile Organic Compounds

CAS No.	Compound Name
83-32-9	Acenaphthene
208-96-8	Acenaphthylene
120-12-7	Anthracene
56-55-3	Benzo(a)anthracene
50-32-8	Benzo(a)pyrene
205-99-2	Benzo(b)fluoranthene
191-24-2	Benzo(g,h,i)perylene
207-08-9	Benzo(k)fluoranthene
218-01-9	Chrysene
53-70-3	Dibenzo(a,h)anthracene
206-44-0	Fluoranthene
86-73-7	Fluorene
193-39-5	Indeno(1,2,3-cd)pyrene
91-20-3	Naphthalene
85-01-8	Phenanthrene
129-00-0	Pyrene

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

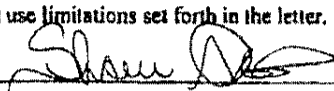
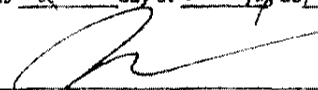
Where the Remediation Applicant (RA) is not the sole owner of the remediation site, the RA shall obtain the certification by original signature of each owner, or authorized agent of the owner(s), of the remediation site or any portion thereof who is not an RA. The property owner(s), or the duly authorized 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>Sharon Pluskis</u>	
Title: <u>Dir Environmental Health & Safety</u>	
Company: <u>Commonwealth Edison Company</u>	
Street Address: <u>3 Lincoln Center 4th Floor NE</u>	
City: <u>Oakbrook Terrace</u> State: <u>IL</u> Zip Code: <u>60181</u> Phone: <u>630.437.2215</u>	
Site Information	
Site Name: <u>Elgin/Enbridge Energy Pipeline Release</u>	
Site Address: <u>1245 Gifford Road</u>	
City: <u>Elgin</u> State: <u>IL</u> Zip Code: <u>60120</u> County: <u>DEER</u>	
Illinois inventory identification number: _____	
Real Estate Tax Index/Parcel Index No. <u>06-29-100-011-0000</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.	
Owner's Signature: <u></u>	Date: <u>02/11/15</u>
SUBSCRIBED AND SWORN TO BEFORE ME this <u>2</u> day of <u>Feb</u> 20 <u>15</u>	<div style="border: 1px dashed black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="margin: 0;">OFFICIAL SEAL JOHN MISHEVSKI NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 01/20/17</p> </div>
<u></u> Notary Public	

The Illinois EPA is authorized to require this information under Sections 415 ILCS 3/58 - 38.12 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(e) 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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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-6761

February 3, 2011

CERTIFIED MAIL

7009 2820 0001 7495 2631

James Tate
Enbridge Energy
119 North 25th Street East
Superior, Wisconsin 54880

Re: 0894385718/Cook County
Elgin/Enbridge Energy Pipeline Release
Site Remediation Program/Technical Reports
No Further Remediation Letter

Dear Mr. Tate:

The October 2010 *Remedial Action Completion Report MP 389.7* (received October 22, 2010; Log No. 10/46187), as prepared by Natural Resources Engineering Company for the above referenced Remediation Site, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA"). The approved remediation objectives at the Site are equal to or are above the existing levels of regulated substances and the above report shall serve as the approved Remedial Action Completion Report.

The Remediation Site, consisting of 0.7 acres, is located at 1301 Bluff City Boulevard (MP 389.7), Elgin, 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 (received November 17, 2006/Log No. 06/31824), is Enbridge Energy.

This focused 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 for the specified recognized environmental conditions so long as the Site is utilized in accordance with the terms of this Letter.

Rockford • 4002 N. Main St., Rockford, IL 61103 • (815) 997-7000

Elgin • 395 S. State, Elgin, IL 60120 • (815) 398-1100

Bureau of Land • Peoria • 2420 N. University St., Peoria, IL 61614 • (309) 694-5463

Collinsville • 6000 Mall Street, Collinsville, IL 62234 • (618) 346-3120

Des Plaines • 9511 W. Hawthorn St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 694-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 1001 W. Main St., Suite 110, Marion, IL 62959 • (618) 993-7200

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Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The recognized environmental conditions, as characterized by the focused site investigation, consist of the following:
 - a) Regulated substances of concern that have been successfully addressed are detailed in the attached Table A.
- 2) The Remediation Site is restricted to Industrial/Commercial land use.
- 3) 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

- 4) 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:

- 5) 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 the ground surface 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.

Other Terms

- 6) 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.

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- 7) 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
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 8) 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;
- 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.

- 9) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) Enbridge Energy;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;

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- 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.
- 10) 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 Enbridge Energy Pipeline Release property.
- 11) 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

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12) 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 Enbridge Energy Pipeline Release property, you may contact the Illinois EPA project manager, Jeffrey J. Guy at (217) 558-6601.

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
Table A: Regulated Substances of Concern
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form
Instructions for Filing the NFR Letter

cc: Dean Kelly, Vice President
Bluff City Materials
2250 Southwind Boulevard
Bartlett, Illinois 60103

Barry F. Power, P.E.
Natural Resources Engineering Company
1409 Hammond Avenue, Suite 110
Superior, Wisconsin 54880

Christopher Grant, Assistant Attorney General
Chicago Main Office
100 West Randolph Street
Chicago, IL 60601

Bureau of Land Records File

Gregory W. Dunn, Illinois EPA Voluntary Site Remediation Unit

Yeric Yarrington, Illinois EPA Office of Emergency Response

John Waligore, Illinois EPA Department of Legal Counsel