



1827546076

Doc# 1827546076 Fee \$58.00

PREPARED BY:

Name: Charlene Troyer
RDK Ventures, LLC

Address: 8700 South Harlem Avenue
Bridgeview, IL 60455

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/02/2018 10:45 AM PG: 1 OF 11

RETURN TO:

Name: Charlene Troyer
RDK Ventures, LLC

Address: 550 Warrenville Road, Suite 400
Lisle, IL 60532

(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.: 0310275213

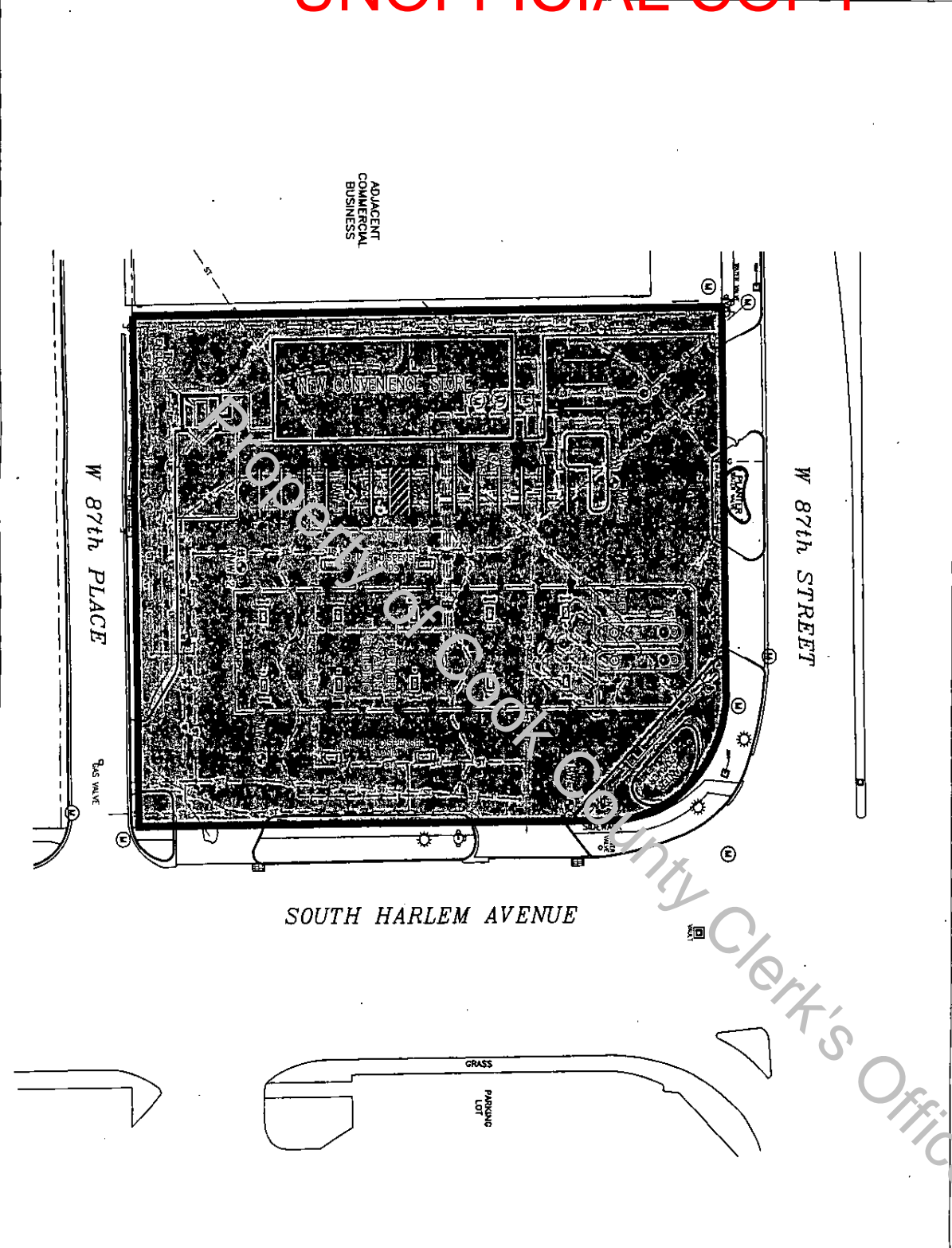
Leaking UST Incident No.: 20151146

RDK Ventures, LLC, the owner and/or operator of the leaking underground storage tank system(s) associated with the above-referenced incident, whose address is 550 Warrenville Road, Suite 400, Bridgeview, IL, has performed investigative and/or remedial activities for the site identified as follows:

1. Legal Description or Reference to a Plat Showing the Boundaries: Parcel 1: Lot 1 in Atwood's subdivision of Part of the North ½ of the Northeast ¼ of Section 1, Township 37 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, except that part taken for Harlem Avenue. Parcel 2: Lot 1 of Von Busch's 87th and Harlem subdivision of Part of the North ½ of the Northeast ¼ of Section 1, Township 37 North, Range 12 East of the Third Principal Meridian, according to the plat thereof registered as document number 1239914, in Cook County, Illinois.
2. Common Address: 8700 South Harlem Avenue, Bridgeview, Illinois
3. Real Estate Tax Index/Parcel Index Number: 23-01-220-003-0000
4. Site Owner: RDK Ventures LLC PB347
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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M:\Graphics\1400-Chicago\Circle K Stores Inc\8704 Bridgeview\8704 Bridgeview S.M. Fig. B-1.dwg



ADJACENT
COMMERCIAL
BUSINESS

W 87th PLACE

W 87th STREET

SOUTH HARLEM AVENUE

GRASS
PARKING
LOT

GAS VALVE

PROPOSED
CIRKLE
K
COUNTY
CLERK'S
OFFICE

LEGEND

- APPROXIMATE SITE BOUNDARY
 - FORMER PRODUCT PIPING LINE
 - FORMER 550 gal. USED OIL UST
 - UTILITY POLE
 - UTILITY MANHOLE
 - LIGHT POLE
 - CATCH BASIN
 - FIRE HYDRANT
 - MONITORING WELL
 - OVERHEAD UTILITY LINES
 - UNDERGROUND STORM SEWER LINE
 - UNDERGROUND ELECTRIC LINE
 - UNDERGROUND WATER LINE
 - UNDERGROUND GAS LINE
- AREA SUBJECT TO
-ONSITE GROUNDWATER USE RESTRICTION
-CONSTRUCTION WORKER CAUTION
NOTIFICATION

Institutional Controls Map

Rdk Ventures, LLC
Circle K Store #6764
8700 South Harlem Avenue
Bridgeview, Illinois

Drawn
E.V.
Designed
A.V.
Reviewed
M.B.



Date
03/07/13
Figure 1



Scale: As Shown (Approximate)
0 10 20 Feet

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ORDINANCE NO. 99-33

AN ORDINANCE ADDING SECTION 13-1-19 OF THE MUNICIPAL CODE OF BRIDGEVIEW BY PROHIBITING THE USE OF WELL WATER FOR POTABLE PURPOSES

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Bridgeview, Cook County, Illinois:

Section 1

That Section 13-1-19, Water Permit; Well Water, of Article 1, Water Connection Regulations and Charges, Chapter 13, Water and Sewer Regulations, of the Municipal Code of Bridgeview be amended to read as follows:

13-1-19: WATER PERMIT; WELL WATER:

- (a) No person shall make any connection to or take any water from the Bridgeview water system without a permit from the Village.
- (b) No person (including the Village and any other unit of government) shall install any potable water supply well or use any well for the purpose of obtaining a potable water supply in the Village.
- (c) No person shall drill a well in order to obtain a potable water supply for use in or outside of the Village.

Section 2

The penalty clause for this ordinance shall be Section 1-1-11 of the Municipal Code of Bridgeview.

Section 3

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 4

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

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Section 5

This ordinance shall be immediately in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Bridgeview this 21st day of July, 1999.



CLAUDETTE STRUZIK, Village Clerk

APPROVED by me this 21st
day of July, 1999.



STEVEN M. LANDEK, Mayor

I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Bridgeview, in accordance with law, this 21st day of July, 1999.



CLAUDETTE STRUZIK, Village Clerk



UNOFFICIAL COPY ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

217-524-3300

CERTIFIED MAIL

7017 2680 0001 0205 5604

SEP 25 2018

RDK Ventures, LLC
 Attn: Charlene Troyer
 550 Warrenville Road, Suite 400
 Lisle, IL 60532

Re: LPC #0310275213 -- Cook County
 Bridgeview/RDK Ventures, LLC
 8700 South Harlem Avenue
 Leaking UST Incident #20151146 -- NFR Letter
 Leaking UST Technical File

Dear Ms. Troyer:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Completion Report submitted for the above-referenced incident. This information was dated May 31, 2018 and was received by the Illinois EPA on June 4, 2018. 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 Corrective Action Completion Report and associated Professional Engineer Certification submitted pursuant to Section 57.7(b)(5) of the Act indicate corrective action for the above-referenced site was conducted in accordance with the Corrective Action Plan approved by the Illinois EPA. The Corrective Action Completion Report demonstrates that the requirements of Section 57.7(b) of the Act have been satisfied.

Based upon the certification by Douglas J. Riggs, 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. RDK Ventures, LLC, 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: 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

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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: Prior to commencement of any future excavation and/or construction in or near the contaminated zone of the remediation site, a safety plan for this remediation site is required that is consistent with the National Institute for Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities; Occupational Safety and Health Administration regulations, particularly in 29 CFR 1910 and 1926; state and local regulations; and other United States EPA guidance as provided. At a minimum, the plan should address possible worker exposure if any future excavation and construction activities occur within the contaminated soil.

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.

Groundwater Use Ordinance

Ordinance #99-33 adopted by the Village of Bridgeview 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:

- a. The current owner or successor-in-interest of this site who relies on this ordinance as an institutional control shall:
- i. Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this remediation site; and
 - ii. Notify the Illinois EPA of any approved variance requests or ordinance changes within 30 days after the date such action has been approved.
- b. Each affected property owner, potentially affected property owner (as identified through contaminant modeling), and the Village of Bridgeview 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:
- i. The name and address of the unit of local government;

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- ii. The citation of the ordinance used as an institutional control in this Letter;
- iii. A description of the property 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 was 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.

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.
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.
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:

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Illinois Environmental Protection Agency
Attention: Freedom of Information Act Officer
Division of Records Management - #16
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 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, Jennifer Rossi, at 217-782-9285.

Sincerely,



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

MTL:jr:

Attachments: Leaking Underground Storage Tank Environmental Notice
Site Base Map
Village of Bridgeview groundwater ordinance #99-33

c: Amber Verbick, GES (electronic copy)
BOL File

Property of Cook County Clerk's Office

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**AFFIDAVIT FOR CERTIFICATION of
DOCUMENT COPY
(55 ILCS 5/3-5013)**

STATE OF ILLINOIS }
 }
 } ss.
COOK COUNTY }

I, (print name) Melissa Blaha being duly sworn, state that I
have access to the copies of the attached document(s) (state type(s) of
document(s)) Leaking Underground Storage Tank Environmental Notice (No Further
Remediation Letter)

as executed by (name(s) of party(ies)) the Illinois Environmental Protection Agency

My relationship to the document is (ex. – Title Company, agent, attorney)
Environmental Consultant

I state under oath that the original of this document is lost, or not in possession of
the party needing to record the same. To the best of my knowledge the original
document was not intentionally destroyed or in any manner disposed of for the
purpose of introducing a copy thereof in place of the original.

Affiant has personal knowledge that the foregoing statements are true.

Melissa Blaha

10/1/2018

Signature

Date

Subscribed and sworn to before me
this 1 day of October, 2018

Donna J. Larson
Notary Public

