

# UNOFFICIAL COPY



PREPARED BY:

Doc# 2227746012 Fee \$93.00

Name: Michael McKoy  
RDK Ventures LLC

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

Address: 13059 South La Grange Road  
Palos Park, Illinois 60464

DATE: 10/04/2022 11:17 AM PG: 1 OF 7

RETURN TO:

Name: Michael McKoy  
RDK Ventures LLC

Address: Post Office Box 347  
Columbus, Indiana 47201

(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.: 0312435029

Leaking UST Incident No.: 20210583

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 Post Office Box 347, Columbus, Indiana, 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: 13059 South La Grange Road, Palos Park, Illinois
3. Real Estate Tax Index/Parcel Index Number: 23-34-100-062-0000 & 23-34-100-061-0000
4. Site Owner: RDK Ventures LLC
5. Land Use Limitation: There are no land use limitations.
6. See the attached No Further Remediation Letter for other terms.

CB

Attachment: Legal Description

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## LEGAL DESCRIPTION

LOTS 3 AND 4 (EXCEPT THE NORTH 72.50 FEET OF SAID LOTS AND EXCEPT ANY PART THEREOF ACQUIRED FOR HIGHWAY PURPOSE PER DOCUMENT 85L51095) IN CONNELL'S RESUBDIVISION OF LOT 8 IN DOWD'S SUBDIVISION OF THE WEST 35 ACRES OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N.(s): 23-34-100-061  
23-34-100-062

Common Address: 13059 La Grange Road  
Palos Park, 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) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 524-3300

CERTIFIED MAIL

7022 0410 0001 4780 7276

SEP 16 2022

RDK Ventures LLC  
 Attn: Michael McKoy  
 Post Office Box 347  
 Columbus, Indiana 47201

Re: 031245029 -- Cook County  
 Palos Park/RDK Ventures, LLC  
 13059 South La Grange Road  
 Leaking UST Incident 20210583 -- NFR Letter  
 Leaking UST Technical File

Dear Mr. McKoy:

The Illinois Environmental Protection Agency (Illinois EPA) has reviewed the Corrective Action Plan/Corrective Action Completion Report submitted for the above-referenced incident. This information was dated June 28, 2022 and was received by the Illinois EPA on July 1, 2022. 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.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
 1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120  
 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
 595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
 412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
 4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

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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. 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: 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.
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  
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;

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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 Courtney Boner at (217) 558-6097 or at [courtney.boner@illinois.gov](mailto:courtney.boner@illinois.gov).

Sincerely,



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

Attachments: Leaking Underground Storage Tank Environmental Notice  
Legal Description

- c: Melissa Blaha, Groundwater & Environmental Services, Inc. (electronic copy),  
[mblaha@gesonline.com](mailto:mblaha@gesonline.com)  
BOL File

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

STATE OF ILLINOIS        }  
  }  
  } ss.  
COOK COUNTY        }

I, (print name) Brian Mallari 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.

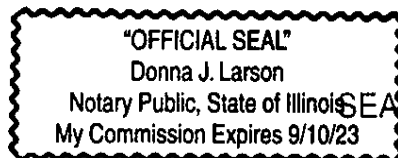
Affiant has personal knowledge that the foregoing statements are true

B Mallari  
Signature

9/27/2022  
Date

Subscribed and sworn to before me  
this 27<sup>th</sup> day of September, 2022

Donna J. Larson  
Notary Public



S Y  
P 7  
S I  
M Y  
SC Y  
E Y  
INT    

Per: Khang  
Trinh