

UNOFFICIAL COPY

ENVIRONMENTAL IMPACT STATEMENT FOR TRANSFER OF REAL PROPERTY

93234073

1. The following information is provided pursuant to the Environmental Property

For Use By County

Recorder's Office

County

Page

Date Recd.

Vol.

Page

Rec'd by:

2. The following information is provided:

A. The following description of the property is provided: Northwest Corner of Old Church Road and Burlington Road, Greenwood, Cook County, Ill. In the

Recorded Map of Cook County, Ill. No. 01-13-473-017-000

B. The following information is provided:

Section 13 Township 4N Range 9E

Section 13 Township 4N Range 9E

Section 13 Township 4N Range 9E of the Third Principal Meridian, according to the Plat thereof
dated December 9, 1940 as recorded under 88569492 in Cook County, Illinois.

DEPT-01 RECORDING

077.00

1972 JAN 24 10 33/AM 93-234073
COOK COUNTY RECORDS

93234073

Prepared by: Jeffrey E. Mallory, White, Tarratt & Crane

Reviewed by: Jeffrey E. Mallory, White, Tarratt & Crane

2700 Cincinnati Plaza, Louisville, Kentucky 40202

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LIABILITY DISCLAIMER

These documents and transfers of real property are advised that their ownership or other control of such property may render them liable for any and all environmental clean up costs which may be caused or contributed to the presence of environmental problems associated with the property.

3. The following information is provided:

The following information is provided:

The following information is provided:

The following information is provided:

The following information is provided:

The following information is provided:

Industrial Building

Farm, with buildings

Other, specify

4. The following information is provided:

The following information is provided:

The following information is provided:

The following information is provided:

The following information is provided:

B. INFORMATION ON LAND OR OTHER INTEREST OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise authorized to use for the management of the site or its property.

Name _____

Type of business _____

or property usage _____

2. If the transferor has knowledge, indicate whether the following existed under prior ownership, leasehold granted by the transferor, or contracts for management or use of the facilities or real property.

	YES	NO		YES	NO
Injection Wells	☒	☐	Injection Wells	☐	☒
Soil and/or Groundwater Contamination	☒	☐	Wastewater Treatment Units	☐	☒
Land Disposal	☒	☐	Septic Tanks	☐	☒
Waste Pile	☒	☐	Transfer Stations	☐	☒
Incinerator	☒	☐	Waste Recycling Operations	☐	☒
Storage Tank (Above ground)	☒	☐	Waste Treatment Detoxification	☐	☒
Storage Tank (Underground)	☒	☐	Other Land Disposal Area	☐	☒
Container Storage Area	☒	☐			

V. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

[Signature]

Name

Part J. Percent - T.J.P. partners
type or print name

TRANSFEROR OR TRANSFEREES (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on _____ 19____

[Signature]

Signature

type or print name

TRANSFEREE OR TRANSFEREES (or on behalf of Transferor)

C. This form was delivered to me with all elements completed on _____ 19____

Signature

type or print name

TRANSFER

UNOFFICIAL COPY

1. This document is a form for use in the transfer of property which involves the generation, transport, storage, treatment or disposal of special wastes as defined in the Federal Emergency Planning and Community Right-to-Know Act and the Illinois Environmental Protection Act.

2. Are any or all of the following specific units (operating or closed) at the property which are or were used by the transferor to manage, store, treat, or dispose of hazardous wastes or petroleum?

	YES	NO		YES	NO
Landfill	☐	☒	Injection Wells	☐	☒
Surface Impoundment	☐	☒	Wastewater Treatment Units	☐	☒
Underground Storage Tanks	☐	☒	Septic Tanks	☐	☒
Waste Piles	☐	☒	Transfer Stations	☐	☒
Incinerators	☐	☒	Waste Recycling Operations	☐	☒
Storage Tanks (Above Ground)	☐	☒	Waste Treatment Detoxification	☐	☒
Storage Tanks (Underground)	☒	☐	Other Land Disposal Area	☐	☒
Other Land Disposal Area	☐	☒			

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency and the Illinois Environmental Protection Agency.

3. Has the transferor ever held any of the following in regard to this real property?

- a. Permits for discharges of wastewater to waters of the State. Yes ☐ No ☒
- b. Permits for emissions to the atmosphere. Yes ☐ No ☒
- c. Permits for any waste storage, waste treatment or waste disposal operation. Yes ☐ No ☒
- d. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment system? Yes ☐ No ☒

4. Has the transferor taken any of the following actions relative to this property?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes ☐ No ☒
- b. Prepared an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes ☒ No ☐
- c. Prepared a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes ☐ No ☒

5. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal government action?

- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes ☐ No ☒
- b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes ☐ No ☒
- c. If "b" was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes ☐ No ☐
- d. Environmental Releases During Transfer of Ownership
 - a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws? Yes ☐ No ☒
 - b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes ☐ No ☒

6. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?

- ☐ Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials
- ☐ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
- ☐ Notification, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
- ☐ Sampling and analysis of soils
- ☐ Temporary or more long-term monitoring of groundwater at or near the site
- ☐ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water
- ☐ Flooding with tumes from subsurface storm drains or inside basements, etc.
- ☐ Areas of substances leaching on a of the ground along the base of slopes or at other low points on or immediately adjacent to the property

7. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes ☐ No ☒

8. Is there any explanation needed for clarification of any of the above answers or responses?

TO: (1) Illinois Department of Environmental Protection

100 Foreman, 1001 Station Road, Suite 200, Louisville, Kentucky 40223

From: National Bank of Louisville, 100 South Main Street, Louisville, Illinois 62-2184

(2) Identify person who has completed this form on behalf of the Transferee and who has knowledge of the information contained in this form

TO: (1) Illinois Department of Environmental Protection

Transferee: Petroleum Oil Corporation, 1001 Main Street, Suite 200, Louisville, KY 40223

IV. ACTION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of release of a hazardous substance."

2. Section 44(a) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(h) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as a result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act states:

"Notwithstanding any other provision or rule of law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes to the text of the statutes cited, but an disclosure statement shall be invalid merely because it sets forth an outdated or superseded version of such text.

IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

1. Has the transferee ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances," as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximately identical, concentration and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes ☐ No ☒

2. Has the transferee ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transfer of a vehicle usage?

Yes ☒ No ☐