



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

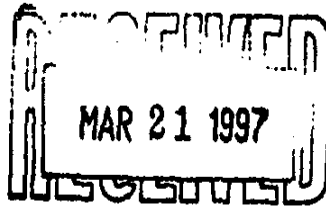
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Mary A. Gade, Director

217/782-6762

MAR 18 1997



2200 Churchill Road, Springfield, IL 62794-9276

CERTIFIED MAIL

0844343448

Shell Oil Company
Attention: Mr. Jamie Keuper
1415 West 22nd Street
Oak Brook, Illinois 60522-9008

97303042

DEPT-01 RECORDING

\$33.50

Re: LPC #0516715067 -- Cook County
Chicago/Shell Oil Company
7858 South Western Avenue
LUST Incident No. 941849
LUST Technical File

. T46666 TRAN 4069 04/30/97 14:35:00
. 48928 + IR *-97-303042
. COOK COUNTY RECORDER
. DEPT-10 PENALTY \$30.00

Dear Mr. Keuper:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the Professional Engineer Certification Form which has been submitted for the above-referenced LUST incident. This information was dated January 29, 1997, was received by the Agency February 14, 1997, and was prepared by EnecoTech Midwest, Inc.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Section 732.300(b)(1) and Section 732.409(b) indicate that the remediation objectives set forth in 35 Illinois Administrative Code Section 732.408 have been met.

Based upon (a) the certification by Paul T. Walz, a Registered Professional Engineer of Illinois, (b) the certification by Jamie Keuper, the owner and operator of the underground storage tank(s), and pursuant to Section 57.10 of the Illinois Environment Protection Act ("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 Registered 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 occurrence has been completed; and (3) no further remediation concerning the occurrence is necessary for the protection of human health, safety and the environment. Pursuant to Section 57.10(d) of the Act, the No Further Remediation Letter shall apply in favor of the following persons:

1. Shell Oil Products Company;
2. The owner and operator of the UST(s);
3. Any parent corporation or subsidiary of the owner or operator of the UST(s);

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4. 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;
5. Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable;
6. Any mortgagee or trustee of a deed of trust of the owner of the site or any assignee, transferee, or any successor-in-interest of the owner of the site;
7. Any successor-in-interest of such owner or operator;
8. 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; or
9. Any heir or devisee of such owner or operator.

This Letter, including all attachments, must be filed as a single instrument with the Office of the Recorder or Registrar of Titles in the County where the above-referenced site is located within 45 days of its receipt. 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 that it forms a permanent part of the chain of title for the above referenced property. Within 30 days of this Letter being recorded by the Office of the Recorder or Registrar of Titles of the applicable County, a certified 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 attached to 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 described in the Leaking Underground Storage Tank Environmental Notice (Attachment 1) of this Letter were established in accordance with the requirements of the proposed Tiered Approach to Corrective Action Objectives (TACO, 35 Illinois Administrative Code Part 742) rules.
2. The site described in the attached Leaking Underground Storage Tank Environmental Notice of this Letter shall not be used in a manner that is 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 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 site described in the attached Leaking Underground Storage Tank Environmental Notice.

5. Failure to manage the controls in full compliance with the terms of this Letter may result in avoidance of this Letter.

OTHER TERMS

6. Any contaminated soil or groundwater that is removed, excavated, or disturbed from the above-referenced site must be handled in accordance with all applicable laws and regulations.
7. Further information regarding this 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
2200 Churchill Road
Post Office Box 19276
Springfield, IL 62794-9276

8. Pursuant to Section 57.10(e) of the Act (415 ILCS 5/57.10(e)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the owner and/or operator at the last known address. The notice shall specify the cause for the avoidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the avoidance 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;

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- 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.

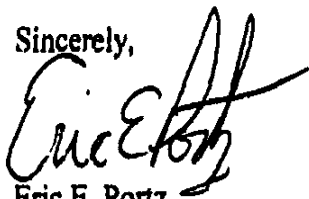
For purposes of appeal, this constitutes the Agency's final decision regarding the above matters. Please see Appendix 1 for an owner or operator's appeal rights.

Submit the certified copy of this letter, as recorded, to:

Illinois Environmental Protection Agency
Bureau of Land
Division of Remediation Management
Leaking Underground Storage Tank Section
2200 Churchill Road, Post Office Box 19276
Springfield, Illinois 62794-9276

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Michael Davison, at 217/782-6762.

Sincerely,



Eric E. Portz
Unit Manager
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land

EEP:MD:jk\9729323.WPD

Attachments: Leaking Underground Storage Tank Environmental Notice

Appendices: 1

cc: EnecoTech Midwest, Inc.

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PREPARED BY:

Name: Jamie Keuper
Shell Oil Products Company

Address: Shell Oil Products Company
Jamie Keuper
1415 West 22nd Street
Oak Brook, Illinois 60522-9008

RETURN TO:

Name: Jamie Keuper
Shell Oil Products Company

Address: 1415 West 22nd Street
Oak Brook, Illinois 60522-9008

THE ABOVE SPACE FOR RECORDER'S OFFICE

THIS ENVIRONMENTAL NO FURTHER REMEDIATION LETTER MUST BE SUBMITTED BY THE OWNER/OPERATOR WITHIN 45 DAYS OF ITS RECEIPT, TO THE RECORDER OF DEEDS OF COOK COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.

Illinois State EPA Number: 0316715067

LUST Incident No.: 941849

Shell Oil Products Company, the owner and operator, whose address is 1415 West 22nd Street, has performed investigative and/or remedial activities for the site that can be identified by the following:

1. Legal description or Reference to a Plat Showing the Boundaries: John P. O'Connor's Beverly Gateway A Sub of the E 1/2 of the S 1/2 of the SE 1/4 (Excepting streets as widened also railroad right of way) of Sec 25-38-19
2. Common Address: 7858 South Western Avenue, Chicago, Illinois
3. Real Estate Tax Index/Parcel Index Number: 19-25-421-044-0000 Volume: 000404
4. Site Owner: Shell Oil Products Company
5. Land Use Limitation: not applicable
6. See NFR letter for other terms.

EEP:MD:jka9729324.WPD

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Leaking Underground Storage Tank Environmental Notice

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APPENDIX 1

An underground storage tank owner or operator may appeal this final decision to the Illinois Pollution Control Board ("Board") pursuant to Section 57.8(i) and Section 40 of the Illinois Environmental Protection Act. An owner or operator who seeks to appeal the Agency's decision may, within 35 days of the date of mailing of the Agency's final decision, petition for a hearing before the Board; however, the 35-day period may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the 35-day initial appeal period.

For information regarding the filing of an appeal, please contact:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
312/814-3620

For information regarding the filing of an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-5544

BB:ct\961979.WPD



Mike Duest
OncoTech Midwest
1919 S. Highland Ave. D-200
Lombard, IL 60148

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EDWARD J. ROSEWELL COOK COUNTY TREASURER

01/30/97 Receipt : 9213

Employee : JAY

Page : 1

V I N : 19-25-121-011-0000 Volume : 000101

Address : NONE

Name : None

Mailing : NONE

Legal Description :

Sub-Division Name : O'CONNORS BEVERLY GATEWAY

Legal : JOHN R OCONNORS BEVERLY GATEWAY A SUB OF THE E 1/2 OF THE S 1/2 O
F THE SE 1/4 (EXCEPTING STREETS AS WIDENED ALSO RAILROAD RIGHT OF
WAY) OF SEC 25-38-19 REC DATE: 11/13/1925 DOC NO: 09095138

ST-TN-RG	BLOCK	PT	LOT
25-38-13	0000001		0000001
25-38-13	0000001		0000002
25-38-13	0000001		0000003
25-38-13	0000001		0000004
25-38-13	0000001		0000005

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This information is furnished as a public accommodation. The office of
county collector disclaims all liability or responsibility for any error
or inaccuracy that may be contained herein.

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County Clerk's Office

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