

Property of Coot County Clert's Office

thereof and except the South 17 feet lying East of the West 160 feet there Case 781, 4097) in Blue Island Gardens, a subdivision of the South 1/2 of described land: The Northwest 1/4 (except the East 20 acres thereof and 1/11th of that part of said Northwest 1/4 lying West of said East 20 acres Township 37 North, Range 13 Fast of the Third Principal Meridian, in C also the South 1/2 of the West 1/11th of that part of the Northwest 1/4 by 20 agres therof, of Section 35 except the North 20,00 feet thereof and ex 593.00 feet thereof and except the West 50.00 feet thereof all in Townsh 13 Fast of the Third Principal Meridian, in Cook County, Illinois and co more or less. Parcel 3B: The South 593.00 feet of the West 1/11th of th Northwest 1/4 lying West of the East 20 acres thereof, of Section 35. To Range 13 East of the Third Principal Meridian except the South 33.00 for except the West 50.00 feet thereof and except that portion of the land co 78L 4097 all in Cook County, Illinois, and containing 2.07 acres more of South 560 feet of the West 160 feet (ercept the South 17 Jeet thereof) of Gardens Subdivision in the Northwest 1/4 of Section 35. Township 37.5 of the Third Principal Meridian, according to the plat thereof recorded F Document 7070833, in Cook County, Illinois.

Common Address: 13101 S. Pulaski Road, Alsip, Illinois

3. Real Fatate Tax Index Parcel Index Number: 24-35-101-048-1001 & 2-

4. Site Owner: Alsip P per Condominium Association, Attn: Glen Johnson Road, Alsip, Illinois 60638

5. Land Use 1, mitation: There are no land use limitations.

See the attached No Further Remediation Letter for other terms.

County Clark's Office RETURN to R. RUTISTEIN 30 N. Lastille #39110 Chicago, II 60602



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UNOFFICIAL CORMAN 70**1**7 MONITORING WELL LOCATIONS Cook Colling C 13101 S. Putaski Road FSC / Chicago Tissue E. 13fer Shoot Alsip, Minois FIGURE 7-198 K-PLUS ENVIRONMENTAL

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276

Mary A. Gade, Director

98517017 Page 4 of 8

217/782-6762

APR 1 3 1998

CERTIFIED MAIL 1344308 4/6

XCTC Limited Partnership (f/k/a FSC Limited Partnership)

Attn: Kenneth Bosworth c/o Horwood Marcus & Berk Chtd.

333 W. Wacker, Suite 2800 Chicago, Phrois 60606

Re: LPC # 0310035006 -- Cook County

Alsip/FSC Corp. (Chicago Tissue)

13101 S. Pulaski Road LUST Incident No. 940210

LUST Technical File

Dear Mr. Bosworth:

The Illinois Environmental Protection Agenc/ ("Illinois EPA") has reviewed the Corrective Action Completion Report submitted for the at ove-referenced incident. This information was dated March 12, 1998; was received by the Agency March 13, 1998; and was prepared by K-Plus Environmental, Inc.

The Corrective Action Completion Report and the Professional Engineer Certification submitted pursuant to 35 Illinois Administrative Code Section 732.300(h)(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 the certification by Daniel M. Caplice, a Registered Professional Engineer of Illinois, and pursuant to Section 57.10 of the Environment Protection Act ("Act") (415 LCS 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, this Letter shall apply in favor of the following persons:

1. XCTC Limited Partnership (f/k/a FSC Limited Partnership);

- 3. Any parent corporation or subsidiary of the owner or operator of the UST(s);
- 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 begiest; or
- 9. Any heir or devisee of such owner or operator.

This Letter, including all attachments, must be filed within 45 days of its receipt as a single instrument with the Office of the Recorder or Registrar of Titles in the County where 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 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 out 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 of this Letter were established in accordance with the requirements of the Tiered Approach to Corrective Action Objectives (TACO, 35 Illinois Administrative Code Part 742) rules.
- 2. As a result of the release from the underground storage tank(s) associated with the above-referenced incident, the site 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
- 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 establish, operate, and maintain controls in full compliance with the Environmental Protection Act, applicable regulations, and the approved corrective action plan may result in voidance 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
1021 North Grand Avenue East
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 or operator 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 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;

- The disturbance or removal of contamination that has been left in-place in accordance with the Corrective Action Plan or Completion Report;
- The failure to comply with the recording requirements for the Letter; d)
- Obtaining the Letter by fraud or misrepresentation; or e)
- Ð 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.

Within 35 days after the date of mailing of this final decision, the owner or operator may petition for a hearing before the Illinois Pollution Control Board (Board) to contest the decision of the Illinois EPA. (For information regarding the filing of an appeal, please contact the Board at 312/814-3620.) To vever, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the owner or operator and the Illinoic EPA within the 35-day initial appeal period. (For information regarding the filing of an extension, please contact the Illinois EPA's Division of Legal Counsel at 217/782-5544.)

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

If you have any questions or need further assistance, please contact Valerie Davis at 217/785-Office 7492.

Sincerely,

Clifford L. Wheeler

Unit Manager

Leaking Underground Storage Tank Section

Division of Remediation Management

Cliffond 2 Wheeles

Bureau of Land

CLW:vad

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: K-Plus Environmental, Inc.