

PREPARED BY:

Name: Soo Line Railroad Company

Address: Soo Line Railroad Company

RETURN TO:

Name: Soo Line Railroad Company
Canadian Pacific Railway

Address: Post Office Box 530
Minneapolis, Minnesota 55440

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 DUPAGE COUNTY IN WHICH THE SITE (AS DESCRIBED BELOW) IS LOCATED.
COOK

Illinois State EPA Number: 0434145047

LUST Incident No.: 900483

Soo Line Railroad Company, the owner and operator, whose address is Post Office Box 530, Minneapolis, Minnesota, has performed investigative and/or remedial activities for the site that can be identified by the following legal description:

1. Legal description or Reference to a Plat Showing the Boundaries:

The underground storage tank was located on the continuous right-of-way of the Soo Line Railroad Company that includes the following portion of the Northeast Quarter of Section 19, Township 40 North, Range 12 East, Third Principal Meridian:

South Property Line - Beginning at the intersection of the East Line of Section 19 and the North right-of-way line of Franklin Avenue and thence Northwest along the North right-of-way line of Franklin Avenue to the West line of the Northeast Quarter of Section 19.

North Property Line - Beginning at a point on the East line of Section 19 and 110 feet Northeast of the Centerline of the north mainline railroad track measured perpendicular to said track thence Northwest parallel to said track a distance of 430 feet, more or less, thence South parallel to the East line of Section 19 to a point 50 feet northeast of the Centerline of

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the north mainline railroad track measured perpendicular to said track thence Northwest parallel to said track to the North line of Section 19.

Note: Railroad property is a continuous right-of-way.

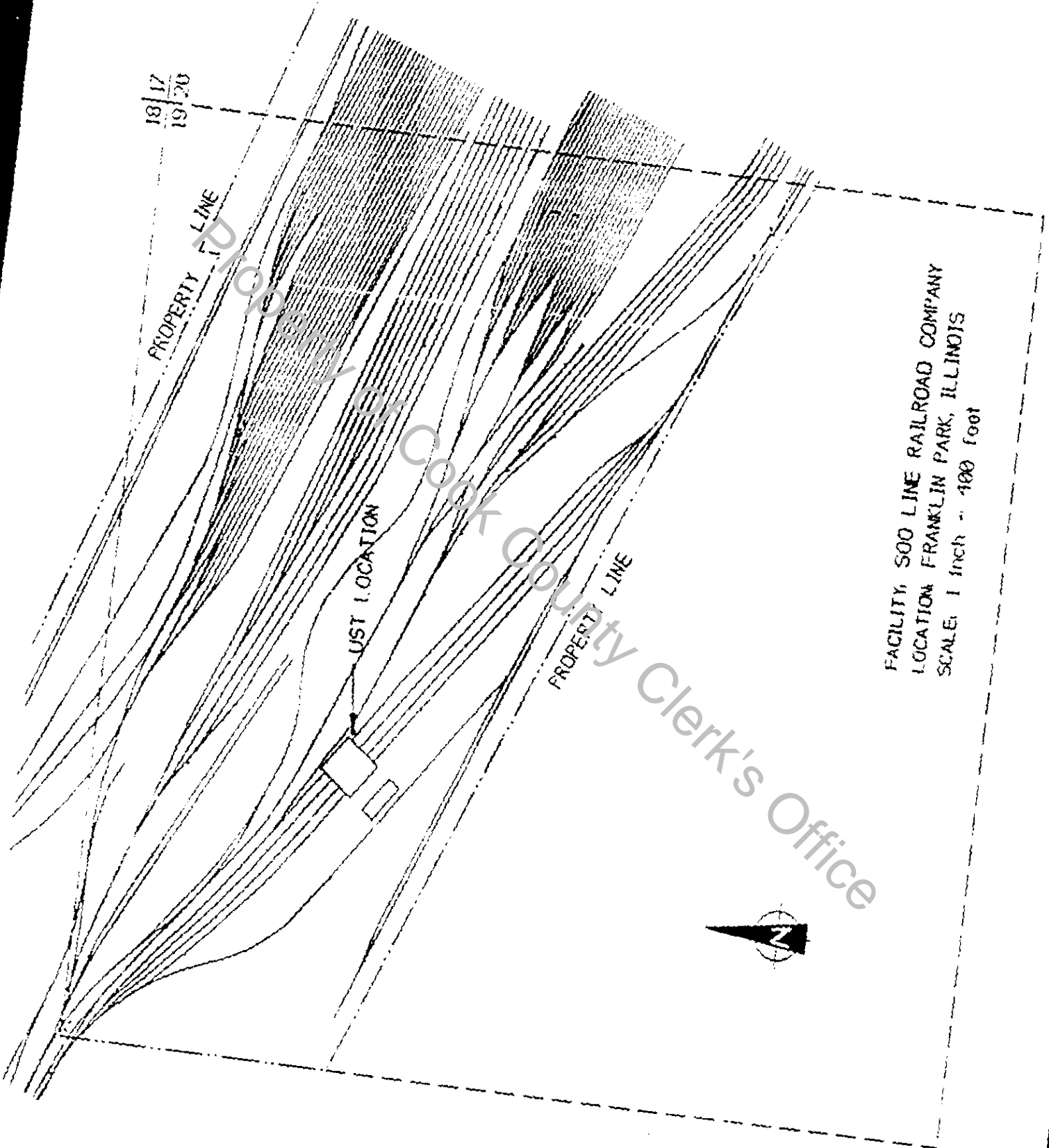
2. Common Address: 415 East Green Street
3. Real Estate Tax Index/Parcel Index Number: Exempt
4. Site Owner: Soo Line Railroad Company
5. Land Use Limitation: Not Applicable
6. See NFR letter for other terms.

MS:ct1971776.WPD



LeeAnn Thomas
Canadian Pacific Railway
P.O. Box 530
Minneapolis, MN 55440

Leaking Underground Storage Tank Environmental Notice



FACILITY, SOO LINE RAILROAD COMPANY
LOCATION, FRANKLIN PARK, ILLINOIS
SCALE: 1 inch = 100 feet



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:ct1961979.WPD



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

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Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217 782-6762

JUL 10 1997

CERTIFIED MAIL

1344 348 517

Soo Line Railroad Company
Attn: Lee Ann Thomas
Canadian Pacific Railway
Post Office Box 530
Minneapolis, Minnesota 55440

Re: LPC #0434145047 - DuPage County
Bensenville/Soo Line Railroad Company
415 East Green Street
LUST Incident No. 900453
LUST Technical File

Dear Ms. Thomas:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the Site Classification Completion Report which has been submitted for the above-referenced LUST incident. This information was dated April 28, 1997, was received by the Agency April 30, 1997, and was prepared by RAM Engineering, Ltd.

The Site Classification Completion Report and associated Professional Engineer Certification indicate that this site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Illinois Environmental Protection Act and 35 Illinois Administrative Code Section 732.302(a).

Based upon (a) the certification by Robert Mehrens, a Registered Professional Engineer of Illinois, (b) the certification by Soo Line Railroad Company, the owner and operator of the underground storage tank(s), and pursuant to Section 57.10 of the Illinois Environment Protection Act ("Act") (415 IL CS 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. Soo Line Railroad 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. Remediation objectives for the above-referenced site described in the Leaking Underground Storage Tank Environmental Notice of this Letter were not established because the site is classified as "No Further Action" as identified in Section 57.7(b)(2) of the Illinois Environmental Protection Act and 35 Illinois Administrative Code Section 732.302(a).
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 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.

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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 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
1001 North Grand Avenue East
Springfield, IL 62702

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 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;
 - 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

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- 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.

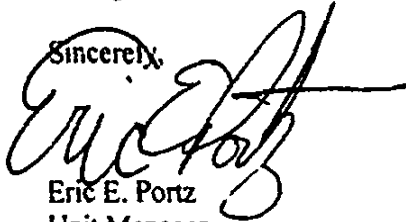
For purposes of appeal, this constitutes the Agency's final decision regarding the above matters. Please see Appendix 1 for an owner or operator's appeal rights.

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
1001 North Grand Avenue East
Springfield, Illinois 62702

If you have any questions regarding this correspondence, you may contact the Illinois EPA project manager, Mindy Sanders, at 217/782-6162.

Sincerely,



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

EEP:MS:ct\971775.WPD

Attachments: Leaking Underground Storage Tank Environmental Notice

cc: Robert Mehrens, P.E., RAM Engineering, Ltd.