

**CITY OF JOLIET AND ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
MEMORANDUM OF AGREEMENT
PURSUANT TO 35 ILL. ADM. CODE 734.715(C)(1)**

This Memorandum of Agreement (“Agreement”) is entered by and between the Illinois Environmental Protection Agency (“Agency”) and the City of Joliet (“Highway Authority”), collectively known as the “Parties.”

WHEREAS, City of Joliet and/or its predecessor in interest is the former owner or operator of one or more leaking underground storage tanks presently or formerly located on or about a portion of 14 West Clinton Street, Joliet, IL. (the “Site”);

WHEREAS, the Highway Authority is the owner of the real property located the Site;

WHEREAS, the Illinois Emergency Management Agency has assigned incident number 20250884 to the Release and the Agency assigned LPC number 1974450365 to the Site.

WHEREAS, the Highway Authority and/or City of Joliet has conducted corrective action in response to the Release pursuant to the requirements of the Leaking Underground Storage Tank Program at 35 Ill. Adm. Code Part 734 (“Part 734”) and pursuant to Part 742;

WHEREAS, the other institutional control to be issued relative to corrective action measures completed at the Site is a No Further Remediation Letter pursuant to Part 734, Subpart G; and

WHEREAS, given that the Site is located in a highway authority right-of-way, the Highway Authority must enter into this Agreement, pursuant to 35 Ill. Adm. Code 734.715(c), in order for the No Further Remediation Letter to be perfected.

NOW, THEREFORE, the Parties agree as follows:

1. The recitals set forth above are incorporated by reference as if fully set forth herein.
2. Attached as Exhibit A is a copy of the No Further Remediation Letter for the Site subject to this Agreement.
3. The Highway Authority will undertake the following actions for future conveyances (including title or any lesser form of interest) or jurisdictional transfers of the Site to any other agency, private person, or entity and to ensure the long-term integrity of any land use limitations:

- A. At least 60 days prior to any intended conveyance or transfer, the Highway Authority will provide the Agency with written notice of any indicated conveyance or transfer, with that notice indicating the mechanism(s) to be used to ensure that any land use limitations will be operated or maintained as required in the corrective action plan and No Further Remediation Letter;
 - B. Upon creation of a deed, the recording of the No Further Remediation Letter and any other land use limitations requiring recording under 35 Ill. Adm. Code 742, the Highway Authority will send copies of the recorded instruments sent to the Agency within 30 days after recording.
 - C. The Highway Authority will make any other arrangements necessary to ensure that property that is conveyed or transferred remains subject to any land use limitations approved and implemented as part of the corrective action plan and the No Further Remediation Letter.
- 4. The Highway Authority will provide written notice to the Agency if any actions taken by the highway authority or its permittees at the site result in the failure or inability to restore the site to meet the requirements of the corrective action plan and the No Further Remediation Letter.
 - 5. Any notices or other correspondence regarding this Agreement shall be sent to the Parties at following addresses:

Manager, Leaking Underground Storage Tank Section
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, IL 62974-9276

City of Joliet
Director of Public Works
150 West Jefferson St.
Joliet, IL 60432

IN WITNESS WHEREOF, the Parties have caused this agreement to be signed by their duly authorized representatives.

CITY OF JOLIET

Date: _____

By: _____
Greg Ruddy, Director of Public Works

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

Date: _____

By: _____
James M. Jennings, Acting Director

EXHIBIT A

Copy of NFR Letter