

**APPENDIX IV**  
USER/OWNER QUESTIONNAIRES AND OTHER  
INTERVIEW DOCUMENTATION

Please return to:  
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## USER QUESTIONNAIRE ASTM STANDARD 1527-05

SITE NAME: Area 2 (Includes Sites 5- 14)

SITE ADDRESS: 13701-13809 S Sacramento Ave

### **Introduction**

In order to qualify for one of the *Landowner Liability Protections (LLPs)*<sup>35</sup> offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*"),<sup>36</sup> the *user* must provide the following information (if available) to the *environmental professional* (i.e. the six questions outlined below). Failure to provide this information could result in a determination that "*all appropriate inquiry*" is not complete.

1. **Environmental cleanup liens that are filed or recorded against the site (40 CFR 312 25)**

Are you aware of any environmental cleanup liens against the *property* that are filed or recorded under federal, tribal, state or local law?

Yes  No *If Yes, explain.*

2. **Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312 26)**

Are you aware of any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?

Yes  No *If Yes, explain.*

3. **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312 28)**

As the *user* of this *ESA*, do you have any specialized knowledge or experience related to the *property* or nearby properties? For example, are you involved in the same line of business as the current or former *occupants* of the *property* or an adjoining *property* so that you would have specialized knowledge of the chemicals and processes used by this type of business?

Yes  No *If Yes, explain.*

4. **Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29)**

Does the purchase price being paid for this *property* reasonably reflect the fair market value of the *property*? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the *property*?

Yes  No *If Yes, explain.*

5. **Commonly known or *reasonably ascertainable* information about the *property* (40 CFR 312.30)**

Are you aware of commonly known or *reasonably ascertainable* information about the *property* that would help the *environmental professional* to identify conditions indicative of releases or threatened releases? For example, as user:

(a) Do you know the past uses of the *property*?

Yes  No *If Yes, explain.*

Sites 5 through 12 have been occupied by automotive junkyards from as early as the 1970's.

(b) Do you know of specific chemicals that are present or once were present at the *property*?

Yes  No *If Yes, explain.*

(c) Do you know of spills or other chemical releases that have taken place at the *property*?

Yes  No *If Yes, explain.*

The IEPA investigated the property owned by J & D Auto Parts in 2005. Violations were cited by the Bureau of Land (BOL) and the Bureau of Water (BOW) under violation notice M-2005-01042. Violations identified by the EPA included the following:

- Open dumping of petroleum substances onto exposed soils, and numerous waste piles (several of which were near Midlothian Creek);
- Scrap vehicles and parts, used oil, spent brake fluid, grease, used tires and construction debris were reported as possibly coming into contact with storm water;-
- Conducting waste treatment or disposal operations without a permit;
- Open dumping of waste resulting in litter;
- Open dumping of construction or demolition debris; and
- The presences of two 55-gallon drums with unknown contents

(d) Do you know of any environmental cleanups that have taken place at the *property*?

Yes  No *If Yes, explain.*

6. **The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31)**

As the *user* of this *ESA*, based on your knowledge and experience related to the *property*, are there any *obvious* indicators that point to the presence or likely presence of contamination at the *property*?

Yes  No *If Yes, explain.*

Sites 5 through 12 have been occupied by an automotive junk yard from as early as the 1970's. Solid waste dumping has occurred across all of the sites and the nature and origin of the dumped materials and fill is unknown.

### USEFUL INFORMATION

Do you know if any of the documents listed below exist, and if so, are copies available and can be sent to V3? Even partial information provided may be useful.

Exists	Available	Unknown	
<u>√</u>	<u>      </u>	<u>      </u>	Environmental Site Assessment Reports
<u>      </u>	<u>      </u>	<u>√</u>	Environmental Audit Reports
<u>      </u>	<u>      </u>	<u>√</u>	Environmental Permits (air, wastewater, etc.)
<u>      </u>	<u>      </u>	<u>√</u>	Registrations for Underground and Aboveground Storage Tanks
<u>      </u>	<u>      </u>	<u>√</u>	Material Safety Data Sheets
<u>      </u>	<u>      </u>	<u>√</u>	Community Right-to-Know Plan
<u>      </u>	<u>      </u>	<u>√</u>	Safety Plan
<u>      </u>	<u>      </u>	<u>√</u>	Preparedness and Prevention Plan
<u>      </u>	<u>      </u>	<u>√</u>	Spill Prevention, Countermeasure and Control Plan
<u>      </u>	<u>      </u>	<u>√</u>	Reports on Site/Area Geology/Hydrogeology
<u>      </u>	<u>      </u>	<u>√</u>	Notices of Violation of Environmental Laws
<u>      </u>	<u>      </u>	<u>√</u>	Environmental Lien Encumbering the Property
<u>      </u>	<u>      </u>	<u>√</u>	Hazardous Waste Generator Notices or Reports
<u>      </u>	<u>      </u>	<u>√</u>	Geotechnical Studies
<u>      </u>	<u>      </u>	<u>√</u>	Chain-of-Title Search (record of historical property ownership, <u>not the same as a title commitment</u> )
<u>      </u>	<u>      </u>	<u>√</u>	Site Plan\Plat of Survey\Alta Survey

## SITE INFORMATION AND HISTORICAL USE

The following information is used to assist the performance of V3's environmental site assessment of the subject site (Site). Please provide any information to the best of your knowledge; if provided previously, please reference the communication. The following questions are directed to the property owner, key site manager (if any identified), and User (if different from property owner).

1. To the best of your knowledge what is current, and what were past, land uses of the Site? (If known, please indicate first developed use or use back to 1940, whichever is earlier). List any known current and past tenants, and owners of the Site. Please provide as much detail as possible regarding prior occupant business practice(s) and operations.

Current Land Use: 1963 to 2010 auto yards. Two auto part companies operate on this site, including J & D Auto Parts and Thompson and Sons Auto Parts.

Past Land Use(s):

**1929-1948** All sites appear to be undeveloped and vegetated. What appears to be a drainage-way running in a general east-west direction is visible on Sites 5 through 7.

**1952** Small buildings, apparently residences, are apparent on Sites 10 through 13.

**1963-present** Small buildings, apparently residences, are visible on Sites 6, 8, 10-13. Automotive junkyard activity is first apparent in aerial photographs as early as 1970's. Local building and fire department records also document junkyard activity in the 1980's.

2. Formal Name of Current Site Ownership Entity: Site 5: James Crum; Site 6: Ethyl M Brown; Site 7: Francis Smith; Site 8: Thompson and Sons; Site 9: Otis Thompson; Site 10: Unknown; Site 11: Lorraine Griffen; Site 12: Otis Thompson; Site 13: Arthur R Spencer; Site 14: Barbara R. Murphy

How long has the property been under current ownership? Approximate year property was acquired?

Site 5-6: Unknown

Site 7 - 12: Since 1992

3. Are there any structures on-site? What are the approximate year(s) of construction? Also give building square-foot and property size.

Site 5 & 6 is comprised of four parcels approximating 3.18 acres. Sites 5 & 6 consist of an unpaved automotive junkyard. A loosely-constructed, three sided wood garage is located on the west side of Site 5 and there are no records for this structure. A dilapidated, unoccupied residential home and a detached garage/shed are located on the central portion of Site 6. The residence was constructed in 1956 and consists of a 1,709-square foot, frame and masonry structure situated over a basement crawl.

Site 7-10 and 12 are comprised of six parcels approximating 5.99 acres. Sites 7-10 appear to be used for the storage and sale of auto parts. Site 12 is improved with a building used as an office (ground floor) and residence (second story). The building was constructed in 1956 and consist of approximately 1,248-square feet, and is a two-story structure with a full unfinished basement and 2-car attached garage.

Site 11 consists of an approximately .44 acre parcel improved by a single-family, one-story home and detached garage.

Site 13 consists of an approximately .34 acre parcel improved with an approximately 624-square foot, two-story structure situated on a slab-on-grade foundation. The building was constructed in 1956 and is unoccupied.

Site 14 consists of an approximately .19 acre heavily vegetated undeveloped parcel.

4. Do you have any knowledge of:

a) underground storage tanks and/or aboveground storage tanks, on or near the property? (Past or present) If so, where? What were the contents, tank size, age, etc.? Any known releases? If removed or abandoned, what year? Unknown.

b) areas of other chemical storage on or near the property? (Past or present) If so, where? What are the chemicals, any known releases? If a release occurred, when?

IEPA documented a variety of violations for the property owned by J & D Auto Parts in 2005. Violations were cited by the Bureau of Land (BOL) and the Bureau of Water (BOW) under violation notice M-2005-01042. Violations identified by the EPA included the following:

- Open dumping of petroleum substances onto exposed soils, and numerous waste piles (several of which were near Midlothian Creek);

- Scrap vehicles and parts, used oil, spent brake fluid, grease, used tires and construction debris were reported as possibly coming into contact with storm water;
- Conducting waste treatment without disposal operations without a permit;
- Open dumping of waste resulting in litter;
- Open dumping of construction and demolition debris; and
- The presences of two 55-gallon drums with unknown contents

c) Herbicide or pesticide use on land? If so, have any spills or problems occurred on-site during application?

Unknown

5. Do you have any knowledge of environmental incidents that have occurred on or near the property? (Past or present) If so, what was the nature of the incident and where did it occur?

Unknown

6. Do you have any knowledge of active or abandoned water wells or septic systems on the property? If so, where were they approximately located? What is the age of the system(s)?

Unknown

The person responsible for filling out this form should sign below:



Signature: \_\_\_\_\_

Title/Company: City of Blue Island, Mayor

Date: 10/14/2010

<sup>35</sup> Landowner Liability Protections, or LLPs, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability* ("Common Elements" Guide) issued on March 6, 2003.

<sup>36</sup> P.L. 107-118