

APPENDIX B
WELL SURVEY DOCUMENTATION

ORDINANCE NO. 2000-295

**AN ORDINANCE PROHIBITING THE INSTALLATION
OR DRILLING OF WELLS WITHIN THE
CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS**

WHEREAS, the City of Blue Island adopted Ordinance 1783 on May 13, 1957; and

WHEREAS, this Ordinance 1783 prohibits the use of ground water or well supply ground water for use as potable water; and

WHEREAS, well water in the City of Blue Island has also been used over a period of time for commercial and industrial purposes; and

WHEREAS, the City of Blue Island now desires to further limit the threat to human health from ground water contamination to the city waterworks system because of the installation of wells to supply ground water for commercial, industrial, agricultural, residential and other purposes; and

WHEREAS, the attempt to install or drill wells to supply ground water for commercial, industrial, agricultural, residential and other purposes within the corporate limits of the City of Blue Island may have a deleterious effect on the city water supply due to the potential for back siphonage into the city waterworks system and contamination of the city water supply; and

WHEREAS, the potential risk of back siphonage and contamination of the city waterworks system and the ramifications of this to the public health, safety and welfare far outweighs the benefit of allowing the use of wells to supply ground water for commercial, industrial, agricultural, residential and other purposes.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Blue Island, County of Cook and State of Illinois as follows:

SECTION ONE

The recitals set forth above are incorporated herein by reference the same as if they were set forth herein verbatim and are made a part of this ordinance as the findings and determination of the City Council upon which the prohibition set forth in this ordinance are based.

SECTION TWO

It shall be unlawful for any person, firm, partnership, limited liability company, corporation or other entity of any kind to use, continue to use, install, drill or attempt to install or drill a well to supply ground water for commercial, industrial, agricultural, residential or any other purpose or use within the corporate limits of the City of Blue Island. All persons, firms, partnerships, limited liability companies, corporations or any other entities presently using a well to supply ground water for commercial, industrial, agricultural, residential or any other purpose shall immediately cease and desist from continuing to do so and shall also immediately cap the well to prevent further use.

SECTION THREE

Any person, firm, partnership, limited liability company, corporation or other entity, who shall violate any provision of this ordinance shall, upon conviction by a court, be subject to a fine of Seven Hundred Fifty Dollars (\$750.00) for each violation. Each day that a violation continues after due notice has been served in writing by the City of Blue Island Water Department to cease and desist drilling, installation or use of a well to supply ground water shall be deemed a separate offense.

SECTION FOUR

In case any violation of this ordinance is not corrected within three (3) days after notice has been served to cease and desist drilling, installation or use of the well, the jurisdiction's legal representative may institute an appropriate action or proceeding at law to exact the penalty provided in Section Three, and in addition thereto, may proceed at law or in equity against the party responsible for the violation for the purpose of ordering the person or entity:

- 1) to restrain, correct or remove the violation or refrain from any further use of the well;
- 2) to restrain or correct the installation, drilling or use of the well;
- 3) to require the removal of the well, or;
- 4) to prevent the occupation or use of the premises where the well has been installed or drilled.

SECTION FIVE

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION SIX

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. A full, true and complete copy of this ordinance shall be published in pamphlet form, by authority of the City Council as corporate authorities.

PASSED this 8th day of February, 2000.



**CITY CLERK OF THE CITY OF BLUE ISLAND
COUNTY OF COOK AND STATE OF ILLINOIS**

VOTING AYE: Ald. Ostling, Jackson, Vasquez, Vargas, Mindeman, Koehler,
Pegorin, Seibert, Rita, Stone, Poulsen.

VOTING NAY: None

ABSENT: Ald. Elton, Disabato, Glasgow.

ABSTAIN: None


APPROVED: this 8th day of February, 2000.



**MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and Filed in my office this

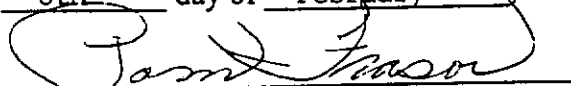
8th day of February, 2000.



CITY CLERK

PUBLISHED in pamphlet form this

8th day of February, 2000.



CITY CLERK

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

CERTIFICATE

I, Pam Frason, certify that I am the duly elected and acting municipal clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on FEB 8, 2000 the Corporate Authorities of such municipality passed and approved Ordinance No. 2000-295, entitled ORDINANCE PROHIBITING THE INSTALLATION OR DRILLING OF WELLS WITHIN THE CITY OF BLUE ISLAND which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2000-295, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building commencing on FEB. 8, 2000 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this 8TH day of FEB. 2000.

(SEAL)


Municipal Clerk

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BLUE ISLAND AND THE ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY REGARDING THE USE OF A LOCAL
GROUNDWATER OR WATER WELL ORDINANCE AS AN
ENVIRONMENTAL INSTITUTIONAL CONTROL**

I. PURPOSE AND INTENT

- A. This Memorandum of Understanding ("MOU") between the City of Blue Island and the Illinois Environmental Protection Agency ("Illinois EPA") is entered into for the purpose of satisfying the requirements of 35 Ill. Adm. Code 742.1015 for the use of groundwater or water well ordinances as environmental institutional controls. The Illinois EPA has reviewed the groundwater or water well ordinance of the City of Blue Island (Attachment A) and determined that the ordinance prohibits the use of groundwater for potable purposes and/or the installation and use of new potable water supply wells by private entities but does not expressly prohibit those activities by the unit of local government itself. In such cases, 35 Ill. Adm. Code 742.1015(a) provides that the unit of local government may enter into an MOU with the Illinois EPA to allow the use of the ordinance as an institutional control.
- B. The intent of this Memorandum of Understanding is to specify the responsibilities that must be assumed by the unit of local government to satisfy the requirements for MOUs as set forth at 35 Ill. Adm. Code 742.1015(i).

II. DECLARATIONS AND ASSUMPTION OF RESPONSIBILITY

In order to ensure the long-term integrity of the groundwater or water well ordinance as an environmental institutional control and that risk to human health and the environment from contamination left in place in reliance on the groundwater or water well ordinance is effectively managed; the City of Blue Island hereby assumes the following responsibilities pursuant to 35 Ill. Adm. Code 742.1015(i):

- A. The City of Blue Island will notify the Illinois EPA Bureau of Land of any proposed ordinance changes or requests for variance at least 30 days prior to the date the local government is scheduled to take action on the proposed change or request (35 Ill. Adm. Code 742.1015(i)(4));
- B. The City of Blue Island will maintain a registry of all sites within its corporate limits that have received "No Further Remediation" determinations from the Illinois EPA (35 Ill. Adm. Code 742.1015(i)(5)), provided the Illinois EPA has informed the City of the location of these sites.

- C. The City of Blue Island will review the registry of sites established under paragraph II. B. prior to siting public potable water supply wells within the area covered by the ordinance (35 Ill. Adm. Code 742.1015(i)(6)(A));
- D. The City of Blue Island will determine whether the potential source of potable water has been or may be affected by contamination left in place at the sites tracked and reviewed under paragraphs II. B. and C. (35 Ill. Adm. Code 742.1015(i)(6)(B)); and
- E. The City of Blue Island will take action as necessary to ensure that the potential source of potable water is protected from contamination or treated before it is used as a potable water supply (35 Ill. Adm. Code 742.1015(i)(6)(C)).

NOTE: Notification under paragraph II. A. above or other communications concerning this MOU should be directed to:

Manager, Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, Illinois 62794-9276

III. SUPPORTING DOCUMENTATION

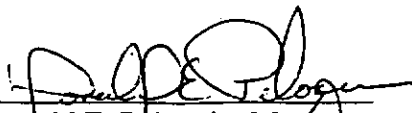
The following documentation is required by 35 Ill. Adm. Code 742.1015(i) and is attached to this MOU:

- A. Attachment A: A copy of the groundwater or water well ordinance certified by the city clerk or other official as the current, controlling law (35 Ill. Adm. Code 742.1015(i)(3));
- B. Attachment B: Identification of the legal boundaries within which the ordinance is applicable (certification by city clerk or other official that the ordinance is applicable everywhere within the corporate limits; if ordinance is not applicable throughout the entire city or village, legal description and map of area showing sufficient detail to determine where ordinance is applicable) (35 Ill. Adm. Code 742.1015(i)(2));
- C. Attachment C: A statement of the authority of the unit of local government to enter into the MOU (council resolution, code of ordinances, inherent powers of mayor or other official signing MOU-attach copies) (35 Ill. Adm. Code 742.1015(i)(1)).

IN WITNESS WHEREOF, the lawful representatives of the parties have caused this MOU to be signed as follows:

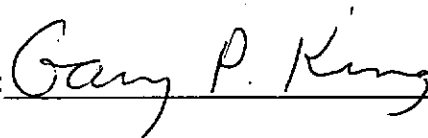
FOR: City of Blue Island

DATE: 4/18/00

BY: 
Donald E. Pelouin, Mayor

FOR: Illinois Environmental Protection Agency

DATE: 6/12/00

BY: 

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, PAM FRASOR, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, and such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of said City and have in my custody the ORDINANCES and BOOKS of the records of said City.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain ORDINANCES: PROHIBITING THE INSTALLATION OR DRILLING OF WELLS WITHIN THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS *AND APPLIES TO THE ENTIRE CORPORATE LIMITS. ORDINANCE NO. 2000-295, which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the 8th day of FEBRUARY, 2000; that at said meeting 11 Aldermen were present; that at said meeting, on motion duly made and seconded that said Ordinance do pass and on the roll being called the vote of each Alderman present on the question of the passage of said Ordinance was duly and separately taken by Ayes and Nays and his name and vote recorded in the minutes of the proceedings of said City Council; that it appears from such record that 11 Alderman voted Aye and 0 Alderman voted Nay.

I DO FURTHER CERTIFY that the original Ordinance of which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the same City in the County and State aforesaid, this 18th day of APRIL, 2000.

CORPORATE SEAL


CITY CLERK

Water Well Survey Database

| Map ID | Sec | Twp | Dir | Rng | Dir | Owner Name | Driller | Status | Total Depth | Formation |
|--------|-----|-----|-----|-----|-----|------------------------------|-------------------------|----------|-------------|-----------------|
| 1 | 1 | 36 | N | 13 | E | Norman, Pearlie | Lode, Lawrence James | Domestic | 260 | Bedrock |
| 1 | 1 | 36 | N | 13 | E | Norman, Ray | Lode, Lawrence James | Domestic | 260 | Bedrock |
| 2 | 1 | 36 | N | 13 | E | U S Railway Co | Foyle R | Domestic | 155 | |
| 3 | 1 | 36 | N | 13 | E | Libby McNeill Libby | Layne Western Co., Inc. | Domestic | 1618 | |
| 4 | 1 | 36 | N | 13 | E | Douglas, C. | Stinnett, James R. | Domestic | 220 | Limestone |
| 5 | 36 | 37 | N | 13 | E | Concrete Production Services | Moore, John V. | Domestic | 750 | Bedrock |
| 5 | 36 | 37 | N | 13 | E | Concrete Production Services | Walters, Larry | Domestic | 1000 | White Sandstone |