



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 10-0497, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 15, 2010

COMMITTEE ON REAL ESTATE

Mr. Richard Lanyon, Executive Director

Authority to issue a 6-month permit to ComEd and Nicor to enter 18-acres of District land located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie, Illinois, to conduct air monitoring and staging for off-site investigatory work, consideration shall be \$10.00

Dear Sir:

Since 1996, the Law Department has been working with ComEd and Nicor in an effort to have the utilities perform environmental assessments and remediation work on the 18-acre site located at the northwest corner of Oakton Street and McCormick Boulevard, north of the North Side Water Reclamation Plant (the "Site"). The Site was acquired by the District from Northern Illinois Gas in 1965. Prior to the District's ownership, Northern Illinois Gas ("N.I. Gas") operated a MGP plant thereon. The Site contains contaminants from the MGP operations. In 2002, the District filed a suit in federal court against both utilities, successors in interest to N.I. Gas, seeking damages for clean-up costs. ComEd and Nicor have proposed an environmental remediation plan in an effort to settle this case. Such plan and settlement offer has not yet been approved by the Board.

In anticipation of the District allowing the utilities to enter the Site to perform environmental remediation activities, ComEd and Nicor have requested a 6-month permit to perform ambient air monitoring prior to performing any remediation work. The sampling is proposed at 6 stationery aboveground locations set up around the perimeter of the Site. Additionally, the permit will allow use of the Site by the utilities for temporary staging and storage during off-site investigation activities to be conducted within right-of-ways of Oakton and McCormick to determine whether any off-site migration has occurred from the Site.

The technical departments have reviewed this request and have no objections thereto, subject to certain conditions.

A nominal fee of \$10.00 is recommended since the utilities are performing this work in anticipation of settling the lawsuit filed by the District.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a 6-month permit to allow ComEd and Nicor to enter 18-acres of District land located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie, Illinois, to conduct air monitoring and staging for off-site investigatory work. Consideration shall be \$10.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute said permit after it is approved by the General Counsel as to form and legality.

Requested, Frederick M. Feldman, General Counsel, FMF:CL:SM:rg
Recommended, Richard Lanyon, Executive Director

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Respectfully Submitted, Terrence J. O'Brien, Chairman Committee on Real Estate Development
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 15, 2010

Attachment